

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
PACIFIC PARK PLAZA
711 KAPIOLANI BOULEVARD, SUITE 600
HONOLULU, HAWAII 96813

AGENDA – FIFTEENTH MEETING

THURSDAY, OCTOBER 8, 2020
4:00 P.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Thirteenth Proclamation issued by Governor David Ige on September 22, 2020, relating to the COVID-19 pandemic (Proclamation), in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting. *The procedures have been modified to comply with Mayor Caldwell's Emergency Order No. 2020-27, effective 12:00 am, September 24, 2020 (Emergency Order). In accordance with concern for public health and safety, in-person testimony in the hearings room has been cancelled until further notice. Please see the instructions below on how to submit oral testimony on any scheduled matter or how to make your appearance on a scheduled matter.*

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

No members of the public will be allowed into the hearings room, but may listen to the meeting on a live broadcast. The meeting may be heard by internet live streaming through <https://cchnl.webex.com/cchnl/onstage/g.php?MTID=e500d87f30277181d99115d04809ad137>; by dialing 14084189388, entering the access code: 1466100563#, and entering the passcode: 466547#; or, the preferred method, via the Liquor Commission website event calendar at <http://www.honolulu.gov/liq/event-calendar/>.

All Commissioners will be participating in the meeting by interactive conference technology from remote locations.

To provide the public with the best opportunity to observe the meeting, it is required to "mute" your device's microphone to prevent technological difficulties.

All persons who are required to appear for the meeting must make your appearance by joining the meeting on the Webex platform as described above. Please be aware that joining the meeting will involve entering the meeting number and completing a registration process so please allow sufficient time for this task. For testifiers or required attendees who are not able to access the Webex platform, an equipment and internet access station will be available for use in Suite 111. While in Suite 111, all Social Distancing Requirements set forth in the Proclamation and the Emergency Order must be strictly observed.

Within forty (40) days after the meeting, the minutes will be posted to the Liquor Commission website at <http://www.honolulu.gov/liq/event-calendar/> for viewing. The minutes of prior meetings may also be viewed at said website.

ORAL TESTIMONY

Oral testimony will be permitted on all matters before the Commission subject to the following restrictions:

1. *All oral testimony must be submitted remotely through the Webex platform.*
2. Each speaker is limited to a three-minute presentation.

WRITTEN TESTIMONY

Written testimony is strongly encouraged and may be submitted to the Administrator of the Commission three (3) working days prior to the date of the meeting as follows: FAX (808) 768-7311 or E-MAIL liquor@honolulu.gov. Written testimony will not be accepted in person at the meeting.

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet") will be available for viewing electronically, as soon as practicable, at the Liquor Commission website (<http://www.honolulu.gov/liq/event-calendar/>).

APPROVAL OF MINUTES:

The regular minutes of the 8th (8/20/20) meeting and the regular and executive session minutes of the 7th (8/13/20) meeting, as previously circulated, to be approved by the Commission.

PUBLIC HEARINGS:

- | | |
|--|---|
| 1. Appl. No. 20-21572 from Foodland Super Market, Limited, dba Foodland Super Market, Limited, 4210 Waialae Avenue | For a Restaurant General license (Category No. 2 - Live Entertainment or Recorded Music and Dancing) (Prelim. Hrg. 8/13/20) |
| 2. Appl. No. 20-21573 from Foodland Super Market, Limited, dba Foodland Farms, 4210 Waialae Avenue | For a Retail General license (Prelim. Hrg. 8/13/20) |

PRELIMINARY HEARINGS:

- | | |
|--|--|
| 3. Appl. No. 20-21596 from Oishy Inc., dba Sakura Terrace, 1240 South King Street | For a Restaurant General license (Category No. 2 - Live Entertainment or Recorded Music and Dancing) |
| 4. Appl. No. 20-21751 from Grass Shack Industries, LLC, dba Manoa Chocolate Hawaii, 333 Uluniu Street, Kailua | For a Dispenser General license (Category No. 1 – Standard Bar) |
| 5. Appl. No. 20-21849 from The Cherry Company, Ltd., dba The Cherry Company, Ltd., 3375 Koapaka Street, Suite A185 | For a Retail General license (Concurrent with Agenda Item No. 9) |
| 6. Appl. No. 20-21922 from Makaha Mini Mart LLC, dba Makaha Ohana Market, 84-1170 Farrington Highway A2, Waianae | For a Retail General license |

LICENSE APPLICATIONS:

Temporary License Application:

7. Appl. No. 21-22013 from
GCJ LLC, dba 808 Mart

For a Temporary Retail General
license at 550 Paiea Street, #L-2,
the current site of Airport 7 Market
(D0921)

Stock Transfer Application:

8. Appl. No. 20-20068 from
Mediterranean Gourmet
Food, Inc., dba Oliver,
Retail General license, 4614
Kilauea Avenue (D1037)

For approval of the transfer of
capital stock and notification of new
officers, directors, and stockholder

REQUESTS:

9. Request No. 20-21838
from The Cherry
Company, Ltd., dba The
Cherry Company, Ltd.,
Wholesale General
license, 3375 Koapaka
Street, Suite A185

Requesting approval to permanently
reduce its licensed premises
approximately 132 square feet

(Concurrent with Agenda Item No. 5)

10. Request No. 21-22313
from Scarlet Honolulu,
Inc., dba Scarlet Honolulu,
Inc., Dispenser General
license (Category No. 3 -
Live Entertainment or
Recorded Music and
Dancing), 80 South Pauahi
Street (E1407)

Requesting 90-day extension of time
until January 31, 2021 to submit its
Gross Liquor Sales payment after
the October 31, 2020 deadline

ADOPTION OF DECISION AND ORDER:

11. Club Blossom
(LCV 20-0147)
(E1514)

For adoption of Decision and Order

12. Club Business
(LCV 20-0140)
(E0326)

do.

ADJUDICATION HEARINGS:

- | | |
|--|--|
| 13. Workplay LLC (LCV 20-0171) (R1333) | Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-24 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about August 24, 2020) |
| 14. Pitch Sports Bar (LCV 20-0172) (R1272) | Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-23 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about August 15, 2020) |
| 15. Rangoon Burmese Kitchen (LCV 20-0173) (R1363) | Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-24 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about August 22, 2020) |

ADJUDICATION HEARINGS: (CONT.)

- | | |
|---|---|
| 16. Kahala Texaco (LCV 20-0066) (D0619) | Licensee sold, served or furnished intoxicating liquor to a minor, or allowed consumption of intoxicating liquor by a minor, at the licensed premises (Violation of Section 281-78(b)(1)(A), HRS) (Date of violation: On or about January 25, 2020) |
| 17. Safeway Stores No. 203 (LCV 20-0085) (D0351) | Licensee sold, served or furnished intoxicating liquor to a minor, or allowed consumption of intoxicating liquor by a minor, at the licensed premises (Violation of Section 281-78(b)(1)(A), HRS) (Date of violation: On or about January 25, 2020) |
| | (Continued from September 24, 2020) |
| 18. 7-Eleven Stores No. 54107 (LCV 20-0065) (D0376) | Licensee sold, served or furnished intoxicating liquor to a minor, or allowed consumption of intoxicating liquor by a minor, at the licensed premises (Violation of Section 281-78(b)(1)(A), HRS) (Date of violation: On or about January 25, 2020) |
| 19. 7-Eleven Stores (LCV 20-0097) (D1256) | Licensee sold, served or furnished intoxicating liquor to a minor, or allowed consumption of intoxicating liquor by a minor, at the licensed premises (Violation of Section 281-78(b)(1)(A), HRS) (Date of violation: On or about January 25, 2020) |

OTHER BUSINESS:

20. Liquor Administrator

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to liquor@honolulu.gov, at least five (5) business days prior to the meeting.

LICENSING INVESTIGATIVE REPORT

DATE: August 6, 2020

SUBJECT: Application No. **20-21572** from Foodland Super Market, Limited, dba Foodland Super Market, Limited, for a **Restaurant General** (Category 2 – Live entertainment, recorded music, and dancing) license located at 4210 Waialae Avenue, Honolulu

CORPORATE STRUCTURE:

Foodland Super Market, Limited: Incorporated under the laws of the Territory of Hawaii on January 2, 1948, the corporation is currently authorized to issue 4,000 shares of capital stock (3,000 common shares, 1,000 preferred shares), of which 2,060 total shares (1,200 common shares, 860 preferred shares) are currently issued and outstanding.

The officers, directors and stockholders are:

| | | <u>*Shares</u> | <u>*Common %</u> | <u>**Total %</u> |
|--------------------------|----------------|----------------|------------------|------------------|
| Maureen J. Sullivan Wall | Chair/CEO/D | 458* | 38.17% | 22.23% |
| Roger John Wall | Vice Chair/CAO | -0- | 0% | 0% |
| Kathleen Sullivan Wo | Sec/Treas/D | 326* | 27.17% | 15.83% |
| Dan Tregeagle Bessey | Exec VP/CFO/D | -0- | 0% | 0% |
| Stacy Waiau-Omori | VP | -0- | 0% | 0% |
| Patrick Sullivan | Stockholder | 31* | 2.58% | 1.5% |
| Pacific Warehouse, Inc. | Stockholder | <u>385*</u> | <u>32.08%</u> | <u>18.69%</u> |
| | | 1,200* | 100% | 58.25% |

*Common shares (voting).

**Percentage breakdown of total outstanding capital stock. Of the 860 issued preferred shares (non-voting), Joanna L. Sullivan, Trustee of The Maurice J. Sullivan Revocable Trust is reported to own 640 preferred shares (31.07% of total outstanding capital stock), and a minority shareholder is reported to own the remaining 220 preferred shares (10.68% of total outstanding capital stock).

Pacific Warehouse, Inc.: Incorporated under the laws of the State of Hawaii on February 2, 1962, the corporation is authorized to issue 1,000 shares of stock, of which 1,000 shares are currently issued and outstanding.

The officers, directors, and stockholders are:

| | | <u>Shares</u> | <u>Percentage</u> |
|---------------------|-------------|---------------|-------------------|
| Maureen J.S. Wall | Chair/D | 250 | 25% |
| Roger J. Wall | Pres | -0- | 0% |
| Todd Hondo | VP | -0- | 0% |
| Dan Bessey | Sec/Treas | -0- | 0% |
| Kathleen S. Wo | D | 250 | 25% |
| Patrick J. Sullivan | D | 250 | 25% |
| Colleen Sullivan | Stockholder | <u>250</u> | <u>25%</u> |
| | | 1,000 | 100% |

Joanna L. Sullivan, Trustee of The Maurice J. Sullivan Revocable Trust: According to "The Maurice J. Sullivan Revocable Trust as Amended and Restated" document, made September 15, 1997, The Maurice J. Sullivan Revocable Living Trust was executed on December 28, 1981, and amended on March 2, 1989, October 24, 1990, November 12, 1992, December 29, 1994, May 3, 1995, and September 17, 1996. Maurice J. Sullivan is the "settlor" and "trustee" of the trust.

WAIVER:

On January 30, 2020, Foodland Super Market, Limited was granted a waiver of the requirement to provide updated Personal History and Affidavits, Criminal History Record Clearances, and FBI fingerprint cards for all officers and directors for one (1) year.

FINANCIAL STATEMENT OF FOODLAND SUPER MARKET LIMITED, AS OF OCTOBER 27, 2019:

Financial Statement of Foodland Super Market, Limited, dated March 18, 2020, was submitted to the Commission and certified by the Applicant to be substantially correct, as of October 27, 2019.

COST AND FINANCING:

It will cost approximately \$1,000,000 to establish the restaurant portion of the business at this location.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed licensed premises is located at 4210 Waialae Avenue, Honolulu.

Details of premises

- Approximately 3,992 sq. ft.
- Irregular in shape, approximately 60 feet by 79 feet overall
- Dining area, dance floor, counter, and kitchen
- Liquor will be stored behind the counter seating area within the restaurant licensed premises
- Restrooms located outside of the proposed licensed premises

See **Exhibit A**

The Applicant is also applying for a separate Retail license (Application No. 20-21573) within the same store space.

Parking: There will be parking available for customers at the shopping complex.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

Wesley United Methodist Church located at 1350 Hunakai Street approximately 385 feet northwest of the proposed premises.

SAME CLASS OF LICENSE WITHIN 500 FEET OF PREMISES:

WFM Hawaii, LLC
Dbas Puka's Hole in the Wall (R1108)
4211 Waialae Avenue, #T-1
490 feet south of the premises

TC Kahala, LLC
Dba The Counter (R0886)
4211 Waialae Avenue, Space E-2
450 feet southeast of the premises

Pacific Meritage, LLC
Dba Chili's Grill & Bar (R0562)
4211 Waialae Avenue
385 feet southeast of the premises

FCH Enterprises, Inc.
Dba Zippy's Kahala (R0502)
4134 Waialae Avenue
365 feet west of the premises

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of August 5, 2020, there are 529 Restaurant licenses issued within the City and County of Honolulu, of which 489 are of the Restaurant general kind.

OTHER MATTERS PERTAINING TO THE APPLICATION THAT MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of business: The business will be local steak specialty restaurant serving fine local cuisine specializing in steak plate lunches-type meals and related cuisine along with beverage operations including beer, wine, sake and other types of liquor. Hours of operation will be from 5:00 a.m. to 11:00 p.m. daily. Paul Yasukochi will manage the business with approximately 20 employees.

Business Plan:

See Exhibit B

Lease: According to Commercial Space Lease Agreement, executed June 28, 2018, Trustees of the Estate of Bernice Pauahi Bishop (Landlord) leases to Foodland Super Market, Limited (Tenant) approximately 13,068 square feet of space designated as "Space No. C-1"

in a project known as “Kahala Marketplace” located at 4210 Waialae Avenue.

Term: The term shall commence on June 1, 2020 (Commencement Date) an end on the last day of the 180th full calendar month following the Rent Commencement Date (November 28, 2020).

Option: Two (2) options to extend the term of the lease for a period of five (5) years each.

OTHER LIQUOR LICENSE INTERESTS:

Foodland Super Market, Limited exercises 17 Retail General, three (3) Dispenser General, and two (2) Restaurant General licenses in the City & County of Honolulu.

| | | |
|--|--------------------------------------|-------|
| Foodland Super Market, Ltd 18 | 1505 Dillingham Boulevard | D0094 |
| Foodland Farms | 820 Hind Drive, #101 | D0097 |
| Foodland Super Market, Ltd. | 2939 Harding Avenue | D0111 |
| Foodland Super Market, Ltd. Store No. 2 | 414 North School Street | D0112 |
| Foodland Super Market, Ltd. Store No. 8 | 45-480 Kaneohe Bay Drive | D0115 |
| Foodland Super Market Ltd Store No 10 | 823 California Avenue | D0117 |
| Foodland Super Market Ltd Store 19 | 95-221 Kipapa Road | D0121 |
| Foodland Supermarket Ltd. Store No. 27 | 59-720 Kamehameha Highway | D0122 |
| Foodland Super Market, Ltd. | 94-1040 Waipio Uka Street | D0577 |
| Sack 'N Save | 87-2070 Farrington Highway | D0782 |
| Sack 'N Save | 4561 Salt Lake Boulevard | D0831 |
| Foodland Super Market, Ltd. Store No. 16 | 91-1401 Fort Weaver Road | D0930 |
| Foodland Super Market, Limited No. 37 | 108 Hekili Street | D0990 |
| Foodland | 4850 Kapolei Parkway | D1184 |
| Foodland Farms | 1450 Ala Moana Boulevard Space 8000 | D1240 |
| Foodland Farms | 1150 Kuala Street | D1278 |
| Foodland Farms | 91-5431 Kapolei Parkway, Suite M-110 | D1287 |
| The Bar | 1450 Ala Moana Boulevard Space 8000 | E1570 |
| The Bar | 1150 Kuala Street | E1602 |
| Eleven | 1450 Ala Moana Boulevard Space #8000 | E1609 |
| Mahi'ai Table | 91-5431 Kapolei Parkway | R1396 |
| Hi Steaks | 91-5431 Kapolei Parkway | R1397 |

The officers and directors of Foodland Super Market, Limited are also officers, directors and/or managers of Food Pantry, Ltd., The Kalama Beach Corporation, and Aloha Blowouts LLC. Foodland Super Market, Limited is also the 100% Member of Pacific Sweets, LLC.

Food Pantry, Ltd. exercises 22 Retail General licenses and one (1) Dispenser General license in the City & County of Honolulu.

| | | |
|------------------------------|---------------------------------|-------|
| Whalers General Store | 2005 Kalia Road | D0110 |
| Ku'ai Market #1416 | 2335 Kalakaua Avenue | D0227 |
| Malama Market | 92-585 A Makakilo Drive | D0258 |
| Ku'ai Market #1430 | 150 Kaiulani Avenue | D0300 |
| Food Pantry | 438 Hobron Lane | D0311 |
| Accents | 410 Atkinson Drive | D0623 |
| Accents | 100 Holomoana Street | D0742 |
| Whaler's General Store | 2040 Kuhio Avenue | D0748 |
| Lamont's Gift and Sundry | 57-091 Kamehameha Highway | D1003 |
| Ku'ai Market #1400 | 2570 Kalakaua Avenue | D1017 |
| Beachcomber Market | 2300 Kalakaua Avenue | D1072 |
| Coco Cove | 2284 Kalakaua Avenue, Space A | D1089 |
| Ku'ai Market #1401 | 3253 North Nimitz Highway | D1093 |
| Ku'ai Market #1419 | 3401 North Nimitz Highway | D1094 |
| Ku'ai Market #1410 | 2169 Kalia Road | D1097 |
| Accents | 2259 Kalakaua Avenue | D1119 |
| Accents | 1811 Ala Moana Boulevard | D1122 |
| Ali'i Market #1411 | 2169 Kalia Road | D1159 |
| Ku'ai Market #1404 | 1777 Ala Moana Boulevard | D1162 |
| Whaler's General Store #1138 | 150 Kaiulani Avenue, Space L-12 | D1212 |
| Whaler's General Store #1215 | 66-111 Kamehameha Highway | D1217 |
| Holoholo Café and Market | 2330 Kuhio Avenue | D1237 |
| Holoholo Café and Market | 2330 Kuhio Avenue | E1565 |

The Kalama Beach Corporation exercises one (1) Retail General license in the City & County of Honolulu.

| | | |
|---------------|---------------------------|-------|
| Malama Market | 66 190 Kamehameha Highway | D0206 |
|---------------|---------------------------|-------|

Pacific Sweets, LLC exercises four (4) Restaurant General licenses and one (1) Retail General license in the City & County of Honolulu.

| | | |
|------------------------------|---------------------------------------|-------|
| Hi Steaks | 1450 Ala Moana Boulevard, Space #8000 | R1216 |
| Hi Steaks | 108 Hekili Street, Suite 102 | R1372 |
| Hi Steaks | 1150 Kuala Street | R1378 |
| Redfish Poke Bar by Foodland | 685 Auahi Street, Space #2-119 | R1383 |

Redfish Poke Bar by Foodland 685-Auahi Street, Space #2-119

D1282

Aloha Blowouts LLC exercises one (1) Dispenser General license in the City & County of Honolulu.

Drybar

2330 Kalakaua Avenue, Space 148

E1598

See **Exhibit C1 to C29** for history of violations

There are no violations under D0782, D1184, D1278, D1287, E1570, E1602, E1609, R1396, R1397, D0110, D1097, D1122, D1159, D1162, D1212, D1237, E1565, R1216, R1372, R1378, R1383, D1282, and E1598.

NOISE IMPACT EVALUATION:

The proposed premises is currently under construction. A noise impact evaluation could not be conducted at this time.

ZONING CLEARANCE:

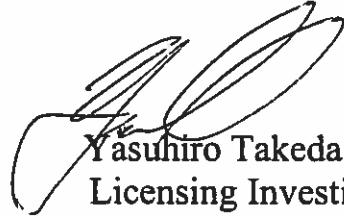
The applicant has submitted a valid Zoning Clearance issued by the Department of Planning and Permitting, dated April 8, 2020.

HAWAII REVISED STATUTES SECTION 281-56(a)(9) STATEMENT:

As of August 5, 2020, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

OPINION:

In my opinion, the applicant appears to meet statutory requirements.



Yasuhiro Takeda
Licensing Investigator

Reviewed by:



Daniel Sato
Supervising Licensing Investigator

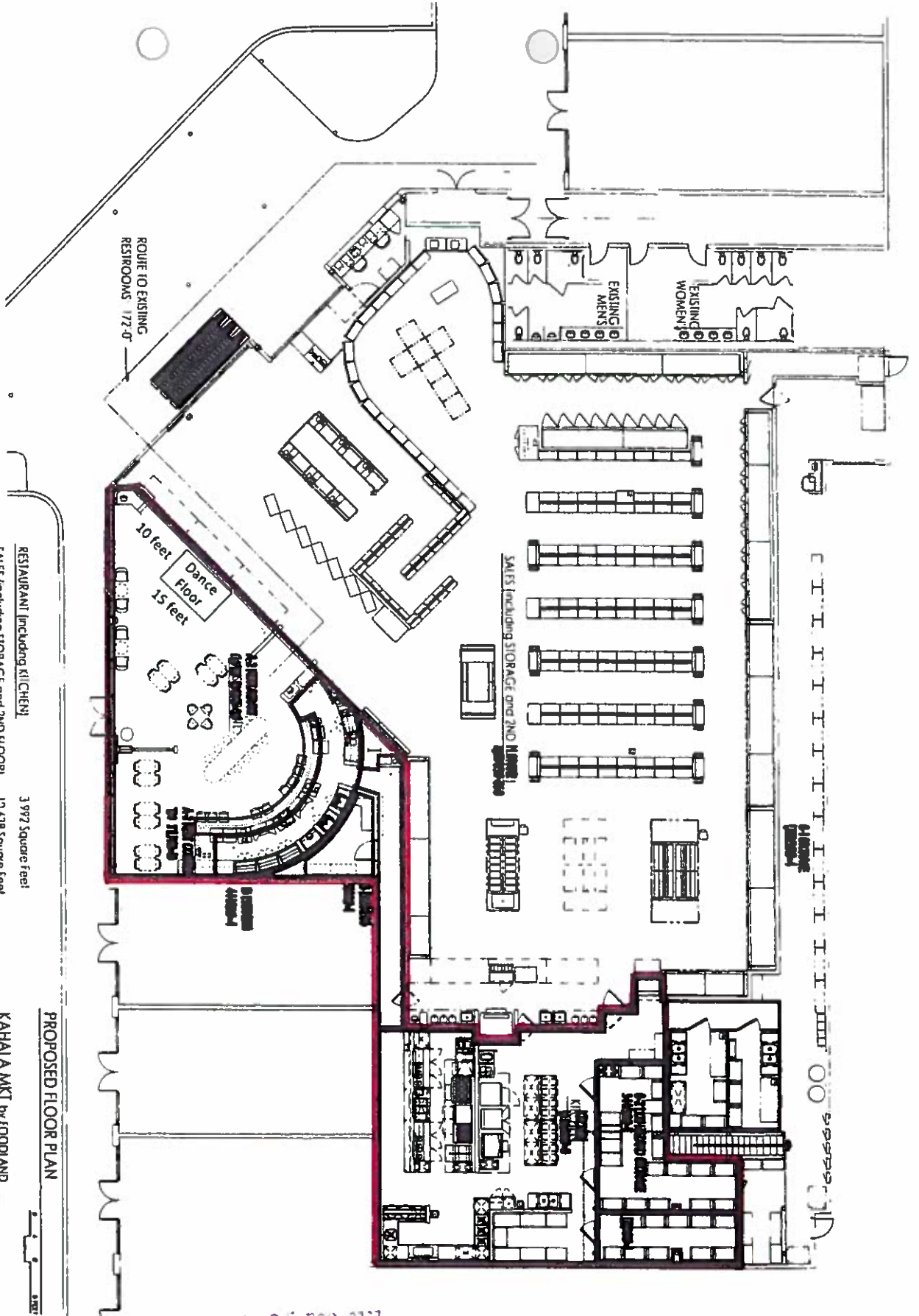
ah

FOODLAND SUPER MARKET, LIMITED dba Foodland Super Market, Limited Restaurant Liquor License Premises

RESTAURANT (including KITCHEN)
SALES (including STORAGE and 2ND FLOOR)
3,972 Square Feet
10,638 Square Feet

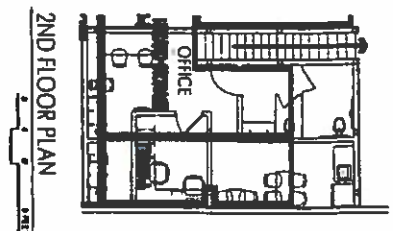
KAHALA MKT by FOODLAND
KUNO MARKETPLACE
4210 WAIALAE AVENUE, SPACE C-1
HONOLULU, HI

PROPOSED FLOOR PLAN



RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2020 JUL 30 P 1:40

EXHIBIT A



RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

BUSINESS PLAN

FOODLAND SUPER MARKET, LIMITED

dba Foodland Super Market, Limited

Application for Restaurant General Liquor License

4210 Waialae Avenue, Honolulu, Hawaii 96816

(Pursuant to Rules of the Commission, Rule §3-83-53.1)

2020 MAR 13 P 2: 20

The following Business Plan is being submitted pursuant to Rules of the Commission, Rule §3-83-53.1 as evidence that the business operations of FOODLAND SUPER MARKET, LIMITED dba Foodland Super Market, Limited has the ability to meet the 30% or more gross revenue from the sale of food.

Name of the Business:

- Foodland Super Market, Limited

Type of Business:

- Local steak specialty restaurant serving fine local cuisine specializing in steak plate lunches-type meals and related cuisine along with beverage operations including beer, wine, sake and other types of liquor.
- The plate lunch meals have a choice of sauces - chimichurri, kim chee, barbecue liliko'i and other sauces. Foodland Super Market, Limited Restaurant is expected to have an in-store smoker using kiawe and guava woods to make smoked pipikaula, pork spareribs and chicken thighs. Foodland Super Market, Limited Restaurant also features sandwiches and burgers on brioche buns.

Location of Business:

- 4210 Waialae Avenue, Honolulu, Hawaii 96816 in the Kuono Marketplace Kahala Shopping Center.

Ability to Meet 30% Food Requirement:

- Foodland Super Market, Limited will satisfy the 30% of gross revenue from the sale of food requirement since the preparation, serving and selling of fine local steak plate lunch-type cuisine is the *primary focus* of the business. Accordingly, gross revenue from the sale of food is anticipated to be 50% or more of the total gross revenue of Foodland Super Market, Limited Restaurant.

EXHIBIT B

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
March 20, 2020

- The sale and service of alcoholic beverages are *complementary but necessary* for the operation and success of Foodland Super Market, Limited Restaurant since customers are known to enjoy consuming local plate-lunch type foods with alcoholic beverages.
- Foodland Super Market, Limited has a full kitchen for the preparation of meals which is the primary focus of Foodland Super Market, Limited Restaurant.

Number of Employees:

- Estimated 20 employees

Marketing Plan:

- Foodland Super Market, Limited Restaurant's primary customers are anticipated to be customers of Foodland Farms along with local customers, visitors/tourists and other customers.
- Advertising and marketing for Foodland Super Market, Limited Restaurant will be done in conjunction with Foodland Farms.

Potential Future Expansion:

- Based on the anticipated success of Foodland Super Market, Limited Restaurant at the Kuono Marketplace Kahala Shopping Center, FOODLAND SUPER MARKET, LIMITED would like to open additional restaurants in Hawaii possibly within other Foodland stores.

DATED: March 13, 2020, Honolulu, Hawaii.

FOODLAND SUPER MARKET, Limited
a Hawaii corporation

Robert A. Ueoka

ROBERT ARTHUR UEOKA
Authorized Agent

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0094
FOODLAND SUPER MARKET, LTD 18
1505 DILLINGHAM BLVD

EXHIBIT C 1

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 17466 | 01/20/2005 | 281-78(b)(1)(A) | 2005-0108 | FINED | 07/16/2005 | 1,000.00 * |
| VIOLATION | 13343 | 03/23/2000 | 281-78(b)(1)(A) | 2000-0109 | FINED | | 1,000.00 * |
| WARNING | 99999 | 04/17/1995 | 281-71 | | | | * |

Records printed: 3

HISTORY OF VIOLATIONS **No Date Range Specified**

LICENSE: D0097
FOODLAND FARMS
820 HIND DR, #101

EXHIBIT C 2

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| WARNING | 25533 | 06/17/2017 | 3-82-38.2 | | | | * |
| VIOLATION | 20326 | 12/20/2008 | 281-78(b)(1)(A) | 2009-0009 | FINED | 04/22/2009 | 750.00 * |
| VIOLATION | 10005 | 01/11/1997 | 281-78(b)(1)(A) | 1997-0127 | FINED | 06/14/1997 | 1,000.00 * |
| CC LAINT AND | 10166 | 01/11/1997 | 281-78(b)(1)(A) | | | | * |
| WARNING | 99999 | 08/31/1996 | 38-2 | | | | * |

Records printed: 5

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0111 **FOODLAND SUPER MARKET, LTD.**
2939 HARDING AVE

EXHIBIT C 3

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| WARNING | 27664 | 02/07/2020 | 3-82-38.2 | | | | * |
| WARNING | 25733 | 11/16/2017 | 3-82-38.2 | | | | * |
| COMPLAINT AND | 11827 | 03/27/2007 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11905 | 12/13/2006 | 281-101.5(a) | | | | * |
| COMPLAINT AND | 12052 | 12/13/2006 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11701 | 02/15/2005 | 281-101.5(b) | | | | * |
| VIOLATION | 17474 | 02/15/2005 | 281-78(b)(1)(A) | 2005-0094 | FINED | 07/16/2005 | 1,000.00 |
| COMPLAINT AND | 11613 | 12/09/2004 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11578 | 10/07/2004 | 281-101.5(a) | | | | * |
| COMPLAINT AND | 11579 | 10/07/2004 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11066 | 05/15/2004 | 281-101.5(b) | | | | * |
| VIOLATION | 11067 | 05/15/2004 | 281-101.5(c) | | | | |
| COMPLAINT AND | 11604 | 04/10/2004 | 281-101.5(a) | | | | * |
| COMPLAINT AND | 11605 | 04/10/2004 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11603 | 01/16/2004 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11447 | 10/18/2003 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11439 | 08/29/2003 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11555 | 08/29/2003 | 281-101.5(a) | | | | * |
| COMPLAINT AND | 11423 | 08/09/2003 | 281-101.5(a) | | | | * |
| COMPLAINT AND | 11424 | 08/09/2003 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11425 | 08/09/2003 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11551 | 08/09/2003 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11403 | 05/24/2003 | 281-101.5(a) | | | | * |
| COMPLAINT AND | 11404 | 05/24/2003 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 10140 | 10/11/2002 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 10141 | 10/11/2002 | 281-101.5(a) | | | | * |
| COMPLAINT AND | 10143 | 10/11/2002 | 281-101.5(b) | | | | * |

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0111
FOODLAND SUPER MARKET, LTD.
2939 HARDING AVE

EXHIBIT C 3

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| COMPLAINT AND | 10145 | 09/28/2002 | 281-101.5(a) | | | | * |
| COMPLAINT AND | 10347 | 09/28/2002 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11192 | 09/28/2002 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11193 | 09/28/2002 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11188 | 09/21/2002 | 281-101.5(a) | | | | * |
| COMPLAINT AND | 11189 | 09/21/2002 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 10142 | 08/28/2002 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11186 | 08/28/2002 | 281-78(b)(1)(A) | | | | * |
| COMPLAINT AND | 11133 | 11/04/2001 | 281-78(b)(1)(A) | | | | * |
| COMPLAINT AND | 11134 | 11/04/2001 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11135 | 11/04/2001 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11136 | 11/04/2001 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11137 | 11/04/2001 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11052 | 09/21/1999 | 281-78(b)(1)(A) | | | | * |
| COMPLAINT AND | 10823 | 09/20/1999 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 10824 | 09/20/1999 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 10825 | 09/20/1999 | 281-101.5(c) | | | | * |
| COMPLAINT AND | 12785 | 09/20/1999 | 281-78(b)(1)(A) | 1999-0347 | FINED | | 1,000.00 |
| WARNING | 99999 | 07/09/1996 | 281-71 | | | | * |
| VIOLATION | 99999 | 02/03/1996 | 281-78(b)(1)(A) | 9999-9999 | OTHER | 05/28/1996 | * |
| VIOLATION | 99999 | 05/13/1995 | 281-78(b)(1)(A) | 9999-9999 | OTHER | 09/05/1995 | * |
| WARNING | 99999 | 01/11/1995 | 281-71 | | | | * |
| VIOLATION | 99999 | 04/06/1994 | 281-78(b)(1)(A) | 9999-9999 | OTHER | 06/21/1994 | * |

Records printed: 50

Printed: 08/04/2020

2:17PM

* - Denotes fine paid

CA: mm.mm - Denotes amount of fine collected by collection agency

Page: 2

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0112 FOODLAND SUPER MARKET, LTD. STORE NO. 2
414 N. SCHOOL ST

EXHIBIT C4

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|----------------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 25103 | 05/16/2017 | 281-78(b)(1)(A) | 2017-0110 | FINED | 09/21/2017 | 1,000.00 * |
| VIOLATION | 20122 | 10/30/2008 | 281-78(b)(1)(A) | 2008-0291 | FINED | 02/26/2009 | 750.00 * |
| COMPLAINT AND VIOLATION | 11097 | 07/14/2000 | 281-101.5(b) | | | | * |
| | 13514 | 04/20/2000 | 281-78(b)(1)(A) | 2000-0202 | FINED | 08/19/2000 | 1,000.00 * |
| WARNING | 13290 | 04/04/2000 | 281-71 | | | | * |
| VIOLATION | 99999 | 06/24/1977 | 999999999999999999 | 9999-9999 | FINED | 07/14/1977 | 250.00 * |

Records printed: 6

Printed: 08/04/2020

2:17PM

* - Denotes fine paid

CA: mmm - Denotes amount of fine collected by collection agency

Page: 1

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0115 **FOODLAND SUPER MARKET, LTD. STORE NO. 8**
45-480 KANEONE BAY DR

EXHIBIT C 5

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 22269 | 12/08/2011 | 281-78(b)(1)(A) | 2011-0333 | FINED | 04/09/2013 | 750.00 * |
| VIOLATION | 20135 | 11/20/2008 | 281-78(b)(1)(A) | 2008-0322 | FINED | 02/25/2009 | 750.00 * |
| VIOLATION | 17424 | 03/03/2005 | 281-78(b)(1)(A) | 2005-0130 | FINED | 07/16/2005 | 1,000.00 * |
| VIOLATION | 13308 | 03/11/2000 | 281-78(b)(1)(A) | | | | * |
| VIOLATION | 13312 | 03/11/2000 | 281-78(b)(1)(A) | 2000-0104 | FINED | 07/01/2000 | 1,000.00 * |
| WARNING | 99999 | 04/13/1995 | 281-71 | | | | * |

Records printed: 6

Printed: 08/04/2020

2:17PM

* - Denotes fine paid

CA: n/a - Denotes amount of fine collected by collection agency

Page: 1

HISTORY OF VIOLATIONS
No Date Range Specified

LICENSE: D0117

FOODLAND SUPER MARKET LTD STORE NO 10
823 CALIFORNIA AVE

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 13501 | 03/25/2000 | 281-78(b)(1)(A) | 2000-0127 | FINED | 10/04/2000 | 1,000.00 * |

Records printed: 1

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0121 **FOODLAND SUPER MARKET LTD STORE 19**
95-221 KIPAPA DR

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|----------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 24374 | 12/14/2015 | 3-82-41.2(b) | | | | |
| VIOLATION | 14714 | 03/16/2002 | 281-78(b)(1)(A) | 2002-0089 | FINED | 07/30/2002 | 1,000.00 * |
| WARNING | 99999 | 08/17/1988 | 99999999999999999999 | | | | * |

Records printed: 3

EXHIBIT C-1

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0122

**FOODLAND SUPERMARKET LTD. STORE NO. 27
59-720 KAMEHAMEHA HWY**

EXHIBIT C 8

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|----------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 27567 | 03/14/2020 | 281-78(b)(1)(A) | 2020-0082 | | | * |
| COMPLAINT AND | 12207 | 11/08/2007 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 12230 | 11/08/2007 | 281-101.5(a) | | | | * |
| COMPLAINT AND | 11952 | 12/02/2006 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11476 | 04/30/2003 | 281-101.5(b) | | | | * |
| WARNING | 10960 | 12/30/1997 | 101.5-2 | | | | * |
| WARNING | 10961 | 12/30/1997 | 281-44(a) | | | | * |
| VIOLATION | 99999 | 12/27/1995 | 281-78(b)(1)(A) | 9999-9999 | REPRIMANDED | 04/02/1996 | * |
| WARNING | 99999 | 06/29/1994 | 99999999999999999999 | | | | * |
| WARNING | 99999 | 07/01/1993 | 99999999999999999999 | | | | * |
| WARNING | 99999 | 07/01/1993 | 38-2 | | | | * |
| WARNING | 99999 | 09/15/1988 | 99999999999999999999 | | | | * |

Records printed: **12**

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D0577

FOODLAND SUPER MARKET, LTD.
94-1040 WAIPIO UKA ST

EXHIBIT C9

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 24372 | 03/11/2016 | 3-82-41.2(b) | 2016-0078 | FINED | 06/21/2017 | 500.00 * |
| DISCREPANCY | 01257 | 06/30/2013 | 3-81-17.57 | 2013-9988 | AUDIT | | 185.33 * |
| WARNING | 11815 | 12/08/1998 | 281-71 | | | | * |

Records printed: 3

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0831

SACK NSAVE
4561 SALT LAKE BLVD

| NOTICETYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|---------------|------------------|-------------------|-----------------|----------------|-------------|------------|--------------|
| VIOLATION | 26092 | 05/19/2018 | 281-78(b)(1)(A) | 2018-0214 | FINED | 08/30/2018 | 1,000.00 * |
| COMPLAINT AND | 11821 | 12/06/2006 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 12002 | 12/06/2006 | 281-101.5(a) | | | | * |
| WARNING | 10731 | 10/18/1997 | 281-44(a) | | | | * |
| WARNING | 10336 | 06/10/1997 | 281-46 | | | | * |
| VIOLATION | 10336 | 06/10/1997 | 281-46 | 1997-0502 | | | * |
| WARNING | 99999 | 08/24/1994 | 281-71 | | | | * |

Records printed: 7

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0930 FOODLAND SUPER MARKET, LTD. STORE NO. 16
91-1401 FORT WEAVER RD

EXHIBIT C 11

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 23292 | 05/05/2018 | 281-78(b)(1)(A) | 2018-0208 | FINED | 10/19/2018 | 1,000.00 * |
| VIOLATION | 17878 | 02/11/2006 | 281-78(b)(1)(A) | | | | |
| VIOLATION | 18711 | 02/11/2006 | 281-78(b)(1)(A) | 2006-0152 | FINED | 02/06/2007 | 1,000.00 * |
| WARNING | 18653 | 02/07/2006 | 3-82-36.1 | | | | * |
| VIOLATION | 17995 | 05/25/2005 | 44-1(c) | 2005-0181 | FINED | | 100.00 * |
| VIOLATION | 17996 | 05/25/2005 | 44-1(d) | 2005-0181 | FINED | | 100.00 * |
| WARNING | 13035 | 09/02/1999 | 281-71 | | | | * |

Records printed: 7

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0990 **FOODLAND SUPER MARKET, LIMITED NO.37**
108 HEKILI ST

EXHIBIT C 12

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 20203 | 05/22/2008 | 3-82-38.9(a)(2) | 2008-0057 | OTHER | | * |
| WARNING | 14501 | 10/06/2001 | 281-71 | | | | * |
| VIOLATION | 14502 | 10/06/2001 | 38-2 | 2001-0258 | FINED | 02/20/2002 | 100.00 * |
| WARNING | 14503 | 10/06/2001 | 101.5-2 | | | | * |

Records printed: 4

HISTORY OF VIOLATIONS
No Date Range Specified

LICENSE: D1240

FOODLAND FARMS
1450 ALA MOANA BLVD, SPACE 8000

EXHIBIT C 13

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 26534 | 02/12/2019 | 281-78(b)(1)(A) | 2019-0057 | FINED | 07/20/2019 | 1,000.00 * |

Records printed: 1

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0227

KU AI MARKET #1416
2335 KALAKAUA AVE

Food Pantry, Ltd.

| NOTICETYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|------------|------------------|-------------------|---------------------|----------------|-------------|------------|--------------|
| VIOLATION | 16295 | 08/29/2004 | 38-9(a)(2) | 2004-0201 | FINED | 01/13/2005 | 250.00 * |
| VIOLATION | 16296 | 08/29/2004 | 36-1 | 2004-0201 | FINED | 01/13/2005 | 250.00 * |
| VIOLATION | 16707 | 03/20/2004 | 36-1 | 2004-0064 | FINED | 07/01/2004 | 100.00 * |
| VIOLATION | 16708 | 03/20/2004 | 44-1(d) | 2004-0064 | FINED | 07/01/2004 | 100.00 * |
| VIOLATION | 16709 | 03/20/2004 | 38-2 | 2004-0064 | FINED | 07/01/2004 | 100.00 * |
| VIOLATION | 99999 | 07/20/1975 | 9999999999999999999 | 9999-9999 | FINED | 08/04/1975 | 100.00 * |

Records printed: 6

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0258 MALAMA MARKET
92-585 A MAKAKILO DR

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|----------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 14870 | 03/16/2002 | 281-78(b)(1)(A) | 2002-0151 | FINED | 10/12/2002 | 2,000.00 * |
| VIOLATION | 10557 | 03/17/2001 | 281-78(b)(1)(A) | 2001-0078 | FINED | | 2,000.00 * |
| VIOLATION | 13858 | 03/18/2000 | 281-78(b)(1)(A) | 2000-0115 | FINED | 07/28/2000 | 1,000.00 * |
| WARNING | 11125 | 04/28/1998 | 101.5-2 | | | | * |
| WARNING | 99999 | 06/24/1996 | 281-71 | | | | * |
| VIOLATION | 99999 | 02/13/1988 | 99999999999999999999 | 9999-9999 | FINED | 04/29/1988 | 500.00 * |

Records printed: 6

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0300 KU AI MARKET #1430
150 KAULANI AVE

EXHIBIT C 16

| NOTICETYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|------------|------------------|-------------------|--------------------|----------------|-------------|------------|--------------|
| VIOLATION | 22247 | 02/07/2013 | 281-78(b)(1)(A) | 2013-0050 | FINED | 11/12/2013 | 750.00 * |
| VIOLATION | 18065 | 02/24/2005 | 281-78(b)(1)(A) | | | | |
| VIOLATION | 16292 | 08/23/2004 | 38-9(a)(2) | 2004-0199 | FINED | 12/07/2004 | 250.00 * |
| VIOLATION | 16293 | 08/23/2004 | 36-1 | 2004-0199 | FINED | 12/07/2004 | 100.00 * |
| VIOLATION | 13529 | 04/13/2000 | 281-78(b)(1)(A) | 2000-0173 | FINED | 08/15/2000 | 1,000.00 * |
| VIOLATION | 99999 | 08/01/1973 | 999999999999999999 | 9999-9999 | FINED | 08/27/1973 | 17.00 * |

Records printed: 6

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D0311

FOOD PANTRY
438 HOBRON LN

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|----------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 19824 | 10/11/2007 | 281-78(b)(1)(A) | 2007-0321 | FINED | 06/03/2008 | 1,000.00 * |
| WARNING | 13747 | 06/06/2001 | 44-1(c) | | | | * |
| VIOLATION | 13319 | 03/16/2000 | 281-78(b)(1)(A) | 2000-0100 | FINED | 07/01/2000 | 1,000.00 * |
| WARNING | 99999 | 12/06/1994 | 281-71 | | | | * |
| WARNING | 99999 | 09/29/1988 | 99999999999999999999 | | | | * |

Records printed: 5

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0623

ACCENTS
410 ATKINSON DR

EXHIBIT C 18

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 18855 | 04/27/2006 | 3-86-101.51(a) | | | | * |
| VIOLATION | 18859 | 04/27/2006 | 281-78(b)(1)(A) | 2006-0213 | FINED | 12/02/2006 | 1,000.00 * |
| VIOLATION | 17159 | 06/05/2004 | 281-46 | 2004-0355 | FINED | 04/27/2005 | 250.00 * |
| W/ONG | 99999 | 03/22/1995 | 36-1 | | | | * |

Records printed: 4

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0742

ACCENTS
100 HOLOMOANA ST

| NOTICETYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|------------|------------------|-------------------|-----------------|----------------|-------------|------------|--------------|
| VIOLATION | 13502 | 03/25/2000 | 281-78(b)(1)(A) | 2000-0126 | FINED | 10/06/2000 | 1,000.00 * |
| WARNING | 99999 | 06/11/1996 | 281-71 | | | | * |
| WARNING | 99999 | 07/22/1995 | 36-1 | | | | * |
| WARNING | 99999 | 03/22/1995 | 101.5-2 | | | | * |

Records printed: 4

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0748 **WHALE S GENERAL STORE**
2040 KUHIO AVE

EXHIBIT C 20

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 23853 | 01/16/2014 | 3-82-38.9(a)(2) | | | | * |
| VIOLATION | 23062 | 11/29/2012 | 281-78(b)(1)(A) | 2012-0454 | FINED | 08/16/2013 | 1,000.00 * |
| VIOLATION | 23067 | 11/29/2012 | 281-78(b)(1)(A) | 2012-0454 | | | * |
| VIOLATION | 15838 | 01/15/2004 | 281-78(b)(1)(A) | 2004-0034 | FINED | | 1,000.00 * |

Records printed: 4

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D1003

LAMONT S GIFT AND SUNDRY
57-091 KAMEHAMEHA HWY

EXHIBIT C 21

| NOTICETYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|------------|------------------|-------------------|-----------------|----------------|-------------|------------|--------------|
| VIOLATION | 26105 | 04/14/2018 | 281-78(b)(1)(A) | 2018-0130 | FINED | 08/30/2018 | 1,000.00 * |
| VIOLATION | 20593 | 12/10/2009 | 281-78(b)(1)(A) | 2009-0271 | FINED | 03/04/2010 | 500.00 * |

Records printed: 2

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D1017

KU AI MARKET #1400
2570 KALAKAUA AVE

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|

| | | | | | | | |
|-----------|-------|------------|------------|-----------|--|--|--|
| VIOLATION | 24259 | 07/29/2014 | 3-83-62(a) | 2014-0213 | | | |
|-----------|-------|------------|------------|-----------|--|--|--|

Records printed: 1

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D1072

BEACHCOMBER MARKET
2300 KALAKAUA AVE

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 27122 | 09/17/2019 | 281-62 | 2019-0379 | | | |
| VIOLATION | 24351 | 04/08/2014 | 3-83-62(a) | 2014-0185 | FINED | 03/14/2015 | 500.00 * |

Records printed: 2

HISTORY OF VIOLATIONS
No Date Range Specified

LICENSE: D1089

COCO COVE
2284 KALAKAUA AVE, SPACE A

EXHIBIT C

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 26731 | 02/16/2019 | 281-78(b)(1)(A) | 2019-0077 | FINED | 07/10/2019 | 2,000.00 * |
| VIOLATION | 24109 | 01/17/2015 | 281-78(b)(1)(A) | 2015-0019 | FINED | 08/15/2015 | 1,000.00 * |

Records printed: 2

HISTORY OF VIOLATIONS No Date Range Specified

EXHIBIT C 2

LICENSE: D1093 KU AI MARKET #1401
3253 N. NIMITZ HWY

Food Bantary, Ltd.

| NOTICE TYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|-------------|---------------|----------------|-----------------|-------------|-------------|------------|--------------|
| VIOLATION | 27316 | 02/08/2020 | 281-78(b)(1)(A) | 2020-0098 | | | |
| VIOLATION | 24260 | 07/30/2014 | 3-83-62(a) | 2014-0211 | | | |
| VIOLATION | 21296 | 11/18/2010 | 281-78(b)(1)(A) | 2010-0325 | FINED | 03/17/2011 | 750.00 * |

Records printed: 3

HISTORY OF VIOLATIONS
No Date Range Specified

LICENSE: D1094

KU AI MARKET #1419
3401 N. NIMITZ HWY

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|

| | | | | | | | |
|---------|-------|------------|-----------|--|--|--|---|
| WARNING | 23829 | 07/16/2015 | 3-82-38.2 | | | | * |
|---------|-------|------------|-----------|--|--|--|---|

Records printed: 1

HISTORY OF VIOLATIONS
No Date Range Specified

LICENSE: D1119

ACCENTS
2259 KALAKAUA AVE

EXHIBIT C 27

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 21175 | 12/02/2010 | 281-78(b)(1)(A) | 2010-0340 | FINED | 03/16/2011 | 750.00 * |

Records printed: 1

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D1217 WHALERS GENERAL STORE #1215
66-111 KAMEHAMEHA HWY

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 24881 | 05/20/2017 | 281-78(b)(1)(A) | 2017-0111 | FINED | 09/28/2017 | 1,000.00 * |
| WARNING | 25060 | 08/18/2016 | 3-82-38.2 | | | | * |

Records printed: 2

HISTORY OF VIOLATIONS No Date Range Specified

EXHIBIT C29

LICENSE: D0206

MALAMA MARKET
66-190 KAMEHAMEHA HWY

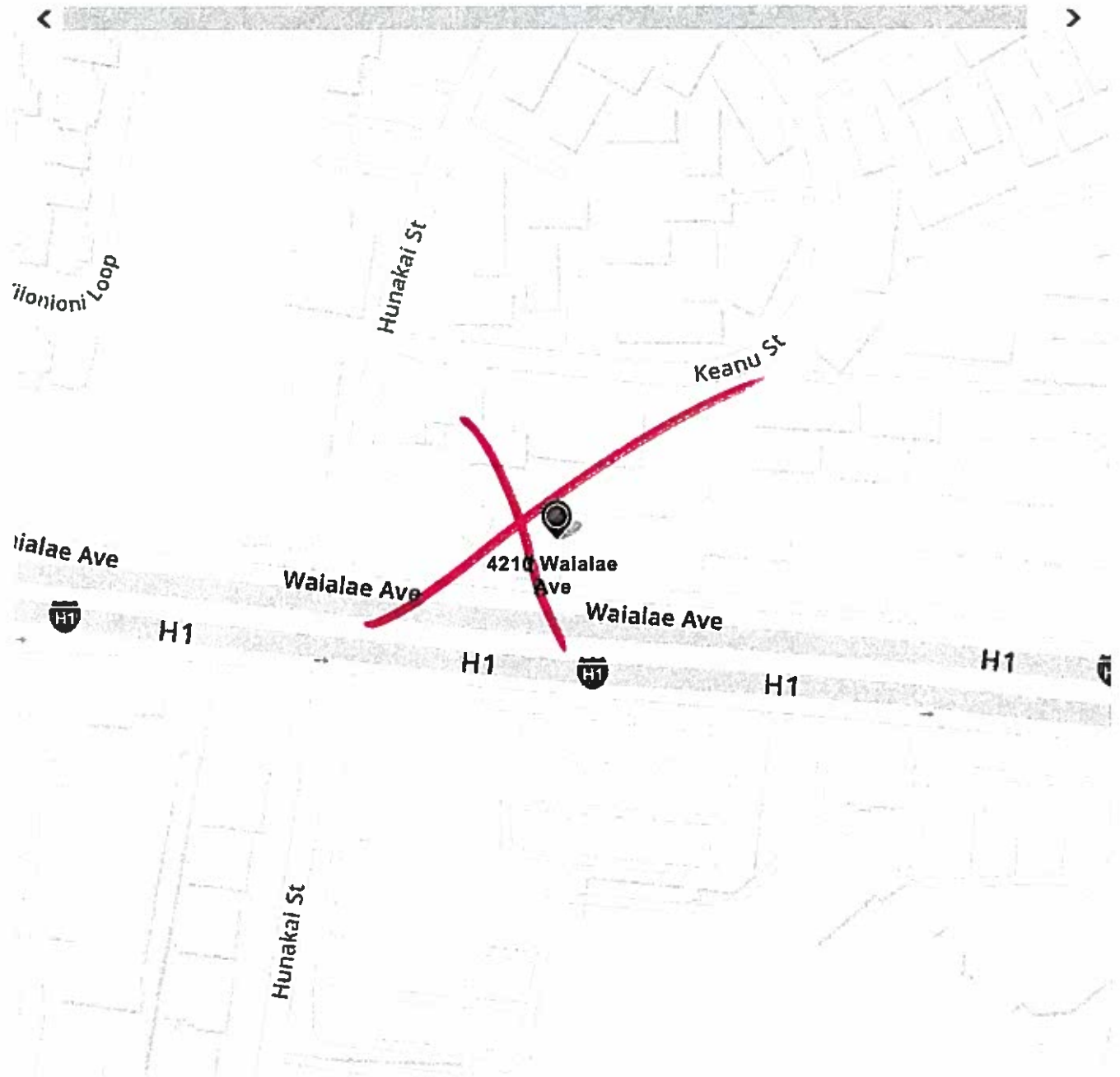
The Kalama Beach Corporation

| NOTICETYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|------------|------------------|-------------------|-----------------|----------------|-------------|------------|--------------|
| VIOLATION | 25967 | 10/30/2017 | 281-41(G) | 2018-0112 | FINED | 07/10/2018 | 500.00 * |
| VIOLATION | 24721 | 12/14/2015 | 281-41(G) | 2016-0121 | FINED | 02/01/2017 | 300.00 * |
| VIOLATION | 19049 | 07/21/2007 | 281-78(b)(1)(A) | 2007-0220 | FINED | 02/26/2008 | 1,000.00 * |
| VIOLATION | 18088 | 03/11/2006 | 281-78(b)(1)(A) | 2006-0128 | | | |
| VIOLATION | 13861 | 04/01/2000 | 281-78(b)(1)(A) | 2000-0139 | FINED | 08/26/2000 | 1,000.00 * |
| VIOLATION | 99999 | 01/23/1995 | 38-2 | 9999-9999 | FINED | 05/17/1995 | 100.00 * |
| WARNING | 99999 | 01/10/1995 | 38-2 | | | | * |

Records printed: 7

4210 Waialae Ave

Honolulu | HI 96816-5307



LICENSING INVESTIGATIVE REPORT

DATE: August 6, 2020

SUBJECT: Application No. **20-21573** from Foodland Super Market, Limited, dba Foodland Farms, for a **Retail** General license located at 4210 Waialae Avenue, Honolulu

CORPORATE STRUCTURE:

Foodland Super Market, Limited: Incorporated under the laws of the Territory of Hawaii on January 2, 1948, the corporation is currently authorized to issue 4,000 shares of capital stock (3,000 common shares, 1,000 preferred shares), of which 2,060 total shares (1,200 common shares, 860 preferred shares) are currently issued and outstanding.

The officers, directors and stockholders are:

| | | <u>*Shares</u> | <u>*Common %</u> | <u>**Total %</u> |
|--------------------------|----------------|----------------|------------------|------------------|
| Maureen J. Sullivan Wall | Chair/CEO/D | 458* | 38.17% | 22.23% |
| Roger John Wall | Vice Chair/CAO | -0- | 0% | 0% |
| Kathleen Sullivan Wo | Sec/Treas/D | 326* | 27.17% | 15.83% |
| Dan Tregeagle Bessey | Exec VP/CFO/D | -0- | 0% | 0% |
| Stacy Waiau-Omori | VP | -0- | 0% | 0% |
| Patrick Sullivan | Stockholder | 31* | 2.58% | 1.5% |
| Pacific Warehouse, Inc. | Stockholder | <u>385*</u> | <u>32.08%</u> | <u>18.69%</u> |
| | | 1,200* | 100% | 58.25% |

*Common shares (voting).

**Percentage breakdown of total outstanding capital stock. Of the 860 issued preferred shares (non-voting), Joanna L. Sullivan, Trustee of The Maurice J. Sullivan Revocable Trust is reported to own 640 preferred shares (31.07% of total outstanding capital stock), and a minority shareholder is reported to own the remaining 220 preferred shares (10.68% of total outstanding capital stock).

Pacific Warehouse, Inc.: Incorporated under the laws of the State of Hawaii on February 2, 1962, the corporation is authorized to issue 1,000

shares of stock, of which 1,000 shares are currently issued and outstanding.

The officers, directors, and stockholders are:

| | | <u>Shares</u> | <u>Percentage</u> |
|---------------------|-------------|---------------|-------------------|
| Maureen J.S. Wall | Chair/D | 250 | 25% |
| Roger J. Wall | Pres | -0- | 0% |
| Todd Hondo | VP | -0- | 0% |
| Dan Bessey | Sec/Treas | -0- | 0% |
| Kathleen S. Wo | D | 250 | 25% |
| Patrick J. Sullivan | D | 250 | 25% |
| Colleen Sullivan | Stockholder | <u>250</u> | <u>25%</u> |
| | | 1,000 | 100% |

Joanna L. Sullivan, Trustee of The Maurice J. Sullivan Revocable

Trust: According to "The Maurice J. Sullivan Revocable Trust as Amended and Restated" document, made September 15, 1997, The Maurice J. Sullivan Revocable Living Trust was executed on December 28, 1981, and amended on March 2, 1989, October 24, 1990, November 12, 1992, December 29, 1994, May 3, 1995, and September 17, 1996. Maurice J. Sullivan is the "settlor" and "trustee" of the trust.

WAIVER:

On January 30, 2020, Foodland Super Market, Limited was granted a waiver of the requirement to provide updated Personal History and Affidavits, Criminal History Record Clearances, and FBI fingerprint cards for all officers and directors for one (1) year.

FINANCIAL STATEMENT OF FOODLAND SUPER MARKET LIMITED, AS OF OCTOBER 27, 2019:

Financial Statement of Foodland Super Market, Limited, dated March 18, 2020, was submitted to the Commission and certified by the Applicant to be substantially correct, as of October 27, 2019.

COST AND FINANCING:

It will cost approximately \$2,500,000 to establish the retail store portion of the business at this location.

TRADE NAME:

According to a Certificate of Registration of Trade Name from the State of Hawaii Department of Commerce and Consumer Affairs, dated June 19, 2017, Foodland Super Market, Limited has secured the use of the trade name "Foodland Farms" for five (5) years from July 20, 2017 to July 19, 2022.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed licensed premises is located at 4210 Waialae Avenue, Honolulu.

Details of premises

1st Floor:

- Approximately 10,038 sq. ft.
- Irregular in shape, approximately 119 feet by 164 feet overall
- Merchandise display area, storage, and walk-in refrigerators
- Liquor will be stored in a liquor display cooler and storage area within the retail licensed premises

2nd Floor:

- Approximately 600 sq. ft.
- Rectangle in shape, approximately 20 feet by 30 feet overall
- Office and restrooms

See Exhibit A

The Applicant is also applying for a separate Restaurant license (Application No. 20-21572) within the same store space.

Parking: There will be parking available for customers at the complex.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

Wesley United Methodist Church located at 1350 Hunakai Street
approximately 385 feet northwest of the proposed premises.

SAME CLASS OF LICENSE WITHIN 500 FEET OF PREMISES:

WFM Hawaii, LLC
Dbas Whole Foods Market (D1112)
4211 Waialae Avenue, Space T-1
495 feet southeast of the premises

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND
COUNTY OF HONOLULU:

As of August 5, 2020, there are 527 Retail licenses issued within the City
and County of Honolulu, of which 496 are of the Retail general kind.

OTHER MATTERS PERTAINING TO THE APPLICATION THAT MAY
AFFECT ISSUANCE OF THE LICENSE:

Kind of business: The business will be a Foodland store, similar in style
to other Foodland Farms stores. Operating hours will be from 5:00 a.m.
to 11:00 p.m. daily. Jason Lam will manage the business with
approximately 60 employees.

Lease: According to Commercial Space Lease Agreement, executed
June 28, 2018, Trustees of the Estate of Bernice Pauahi Bishop
(Landlord) leases to Foodland Super Market, Limited (Tenant)
approximately 13,068 square feet of space designated as "Space No. C-1"
in a project known as "Kahala Marketplace" located at 4210 Waialae
Avenue.

Term: The term shall commence on June 1, 2020 (Commencement Date)
an end on the last day of the 180th full calendar month following the Rent
Commencement Date (November 28, 2020).

Option: Two (2) options to extend the term of the lease for a period of
five (5) years each.

OTHER LIQUOR LICENSE INTERESTS:

Foodland Super Market, Limited exercises 17 Retail General, three (3) Dispenser General, and two (2) Restaurant General licenses in the City & County of Honolulu.

| | | |
|--|--------------------------------------|-------|
| Foodland Super Market, Ltd 18 | 1505 Dillingham Boulevard | D0094 |
| Foodland Farms | 820 Hind Drive, #101 | D0097 |
| Foodland Super Market, Ltd. | 2939 Harding Avenue | D0111 |
| Foodland Super Market, Ltd. Store No. 2 | 414 North School Street | D0112 |
| Foodland Super Market, Ltd. Store No. 8 | 45-480 Kaneohe Bay Drive | D0115 |
| Foodland Super Market Ltd Store No 10 | 823 California Avenue | D0117 |
| Foodland Super Market Ltd Store 19 | 95-221 Kipapa Road | D0121 |
| Foodland Supermarket Ltd. Store No. 27 | 59-720 Kamehameha Highway | D0122 |
| Foodland Super Market, Ltd. | 94-1040 Waipio Uka Street | D0577 |
| Sack 'N Save | 87-2070 Farrington Highway | D0782 |
| Sack 'N Save | 4561 Salt Lake Boulevard | D0831 |
| Foodland Super Market, Ltd. Store No. 16 | 91-1401 Fort Weaver Road | D0930 |
| Foodland Super Market, Limited No. 37 | 108 Hekili Street | D0990 |
| Foodland | 4850 Kapolei Parkway | D1184 |
| Foodland Farms | 1450 Ala Moana Boulevard Space 8000 | D1240 |
| Foodland Farms | 1150 Kuala Street | D1278 |
| Foodland Farms | 91-5431 Kapolei Parkway, Suite M-110 | D1287 |
| The Bar | 1450 Ala Moana Boulevard Space 8000 | E1570 |
| The Bar | 1150 Kuala Street | E1602 |
| Eleven | 1450 Ala Moana Boulevard Space #8000 | E1609 |
| Mahi'ai Table | 91-5431 Kapolei Parkway | R1396 |
| Hi Steaks | 91-5431 Kapolei Parkway | R1397 |

The officers and directors of Foodland Super Market, Limited are also officers, directors and/or managers of Food Pantry, Ltd., The Kalama Beach Corporation, and Aloha Blowouts LLC. Foodland Super Market, Limited is also the 100% Member of Pacific Sweets, LLC.

Food Pantry, Ltd. exercises 22 Retail General licenses and one (1) Dispenser General license in the City & County of Honolulu.

| | | |
|-----------------------|-------------------------|-------|
| Whalers General Store | 2005 Kalia Road | D0110 |
| Ku'ai Market #1416 | 2335 Kalakaua Avenue | D0227 |
| Malama Market | 92-585 A Makakilo Drive | D0258 |
| Ku'ai Market #1430 | 150 Kaiulani Avenue | D0300 |
| Food Pantry | 438 Hobron Lane | D0311 |
| Accents | 410 Atkinson Drive | D0623 |

| | | |
|------------------------------|---------------------------------|-------|
| Accents | 100 Holomoana Street | D0742 |
| Whaler's General Store | 2040 Kuhio Avenue | D0748 |
| Lamont's Gift and Sundry | 57-091 Kamehameha Highway | D1003 |
| Ku'ai Market #1400 | 2570 Kalakaua Avenue | D1017 |
| Beachcomber Market | 2300 Kalakaua Avenue | D1072 |
| Coco Cove | 2284 Kalakaua Avenue, Space A | D1089 |
| Ku'ai Market #1401 | 3253 North Nimitz Highway | D1093 |
| Ku'ai Market #1419 | 3401 North Nimitz Highway | D1094 |
| Ku'ai Market #1410 | 2169 Kalia Road | D1097 |
| Accents | 2259 Kalakaua Avenue | D1119 |
| Accents | 1811 Ala Moana Boulevard | D1122 |
| Ali'i Market #1411 | 2169 Kalia Road | D1159 |
| Ku'ai Market #1404 | 1777 Ala Moana Boulevard | D1162 |
| Whaler's General Store #1138 | 150 Kaiulani Avenue, Space L-12 | D1212 |
| Whaler's General Store #1215 | 66-111 Kamehameha Highway | D1217 |
| Holoholo Café and Market | 2330 Kuhio Avenue | D1237 |
| Holoholo Café and Market | 2330 Kuhio Avenue | E1565 |

The Kalama Beach Corporation exercises one (1) Retail General license in the City & County of Honolulu.

| | | |
|---------------|---------------------------|-------|
| Malama Market | 66 190 Kamehameha Highway | D0206 |
|---------------|---------------------------|-------|

Pacific Sweets, LLC exercises four (4) Restaurant General licenses and one (1) Retail General license in the City & County of Honolulu.

| | | |
|------------------------------|---------------------------------------|-------|
| Hi Steaks | 1450 Ala Moana Boulevard, Space #8000 | R1216 |
| Hi Steaks | 108 Hekili Street, Suite 102 | R1372 |
| Hi Steaks | 1150 Kuala Street | R1378 |
| Redfish Poke Bar by Foodland | 685 Auahi Street, Space #2-119 | R1383 |
| Redfish Poke Bar by Foodland | 685-Auahi Street, Space #2-119 | D1282 |

Aloha Blowouts LLC exercises one (1) Dispenser General license in the City & County of Honolulu.

| | | |
|--------|---------------------------------|-------|
| Drybar | 2330 Kalakaua Avenue, Space 148 | E1598 |
|--------|---------------------------------|-------|

See **Exhibit B1** to **B29** for history of violations

There are no violations under D0782, D1184, D1278, D1287, E1570, E1602, E1609, R1396, R1397, D0110, D1097, D1122, D1159, D1162, D1212, D1237, E1565, R1216, R1372, R1378, R1383, D1282, and E1598.

ZONING CLEARANCE:

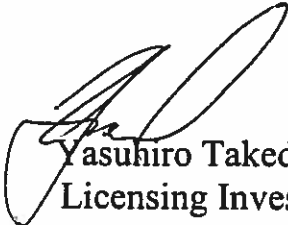
The applicant has submitted a valid Zoning Clearance issued by the Department of Planning and Permitting, dated April 8, 2020.

HAWAII REVISED STATUTES SECTION 281-56(a)(9) STATEMENT:

As of August 5, 2020, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

OPINION:

In my opinion, the applicant appears to meet statutory requirements.


Yasuhiro Takeda
Licensing Investigator

Reviewed by:



Daniel Sato
Supervising Licensing Investigator



HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D0094

FOODLAND SUPER MARKET, LTD 18
1505 DILLINGHAM BLVD

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 17466 | 01/20/2005 | 281-78(b)(1)(A) | 2005-0108 | FINED | 07/16/2005 | 1,000.00 * |
| VIOLATION | 13343 | 03/23/2000 | 281-78(b)(1)(A) | 2000-0109 | FINED | | 1,000.00 * |
| WARNING | 99999 | 04/17/1995 | 281-71 | | | | * |

Records printed: 3

EXHIBIT B 1

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0097 FOODLAND FARMS
820 HIND DR, #101

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|--------------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| WARNING | 25533 | 06/17/2017 | 3-82-38.2 | | | | * |
| VIOLATION | 20326 | 12/20/2008 | 281-78(b)(1)(A) | 2009-0009 | FINED | 04/22/2009 | 750.00 * |
| VIOLATION | 10005 | 01/11/1997 | 281-78(b)(1)(A) | 1997-0127 | FINED | 06/14/1997 | 1,000.00 * |
| COMPLAINT AND WARNING | 10166 | 01/11/1997 | 281-78(b)(1)(A) | | | | * |
| | 99999 | 08/31/1996 | 38-2 | | | | * |

Records printed: 5

No Date Range Specified

**FOODLAND SUPER MARKET, LTD.
2939 HARDING AVE**

EXHIBIT B3

| NOTICETYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|-----------------------------|------------------|-------------------|-----------------|----------------|-------------|------------|--------------|
| WARNING | 27664 | 02/07/2020 | 3-82-38.2 | | | | * |
| WARNING | 25733 | 11/16/2017 | 3-82-38.2 | | | | * |
| COMPLAINT AND COMPLAINT AND | 11827 | 03/27/2007 | 281-101.5(b) | | | | * |
| COMPLAINT AND COMPLAINT AND | 11905 | 12/13/2006 | 281-101.5(a) | | | | * |
| COMPLAINT AND COMPLAINT AND | 12052 | 12/13/2006 | 281-101.5(b) | | | | * |
| COMPLAINT AND VIOLATION | 11701 | 02/15/2005 | 281-101.5(b) | | | | * |
| COMPLAINT AND COMPLAINT AND | 17474 | 02/15/2005 | 281-78(b)(1)(A) | 2005-0094 | FINED | 07/16/2005 | 1,000.00 |
| COMPLAINT AND COMPLAINT AND | 11613 | 12/09/2004 | 281-101.5(b) | | | | * |
| COMPLAINT AND COMPLAINT AND | 11578 | 10/07/2004 | 281-101.5(a) | | | | * |
| COMPLAINT AND COMPLAINT AND | 11579 | 10/07/2004 | 281-101.5(b) | | | | * |
| COMPLAINT AND VIOLATION | 11066 | 05/15/2004 | 281-101.5(b) | | | | * |
| COMPLAINT AND COMPLAINT AND | 11067 | 05/15/2004 | 281-101.5(c) | | | | * |
| COMPLAINT AND COMPLAINT AND | 11604 | 04/10/2004 | 281-101.5(a) | | | | * |
| COMPLAINT AND COMPLAINT AND | 11605 | 04/10/2004 | 281-101.5(b) | | | | * |
| COMPLAINT AND COMPLAINT AND | 11603 | 01/16/2004 | 281-101.5(b) | | | | * |
| COMPLAINT AND COMPLAINT AND | 11447 | 10/18/2003 | 281-101.5(b) | | | | * |
| COMPLAINT AND COMPLAINT AND | 11439 | 08/29/2003 | 281-101.5(b) | | | | * |
| COMPLAINT AND COMPLAINT AND | 11555 | 08/29/2003 | 281-101.5(a) | | | | * |
| COMPLAINT AND COMPLAINT AND | 11423 | 08/09/2003 | 281-101.5(a) | | | | * |
| COMPLAINT AND COMPLAINT AND | 11424 | 08/09/2003 | 281-101.5(b) | | | | * |
| COMPLAINT AND COMPLAINT AND | 11425 | 08/09/2003 | 281-101.5(b) | | | | * |
| COMPLAINT AND COMPLAINT AND | 11551 | 08/09/2003 | 281-101.5(b) | | | | * |
| COMPLAINT AND COMPLAINT AND | 11403 | 05/24/2003 | 281-101.5(a) | | | | * |
| COMPLAINT AND COMPLAINT AND | 11404 | 05/24/2003 | 281-101.5(b) | | | | * |
| COMPLAINT AND COMPLAINT AND | 10140 | 10/11/2002 | 281-101.5(b) | | | | * |
| COMPLAINT AND COMPLAINT AND | 10141 | 10/11/2002 | 281-101.5(a) | | | | * |
| COMPLAINT AND COMPLAINT AND | 10143 | 10/11/2002 | 281-101.5(b) | | | | * |

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0111
FOODLAND SUPER MARKET, LTD.
2939 HARDING AVE

EXHIBIT B3

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| COMPLAINT AND | 10145 | 09/28/2002 | 281-101.5(a) | | | | * |
| COMPLAINT AND | 10347 | 09/28/2002 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11192 | 09/28/2002 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11193 | 09/28/2002 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11188 | 09/21/2002 | 281-101.5(a) | | | | * |
| COMPLAINT AND | 11189 | 09/21/2002 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 10142 | 08/28/2002 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11186 | 08/28/2002 | 281-78(b)(1)(A) | | | | * |
| COMPLAINT AND | 11133 | 11/04/2001 | 281-78(b)(1)(A) | | | | * |
| COMPLAINT AND | 11134 | 11/04/2001 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11135 | 11/04/2001 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11136 | 11/04/2001 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11137 | 11/04/2001 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11052 | 09/21/1999 | 281-78(b)(1)(A) | | | | * |
| COMPLAINT AND | 10823 | 09/20/1999 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 10824 | 09/20/1999 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 10825 | 09/20/1999 | 281-101.5(c) | | | | * |
| VIOLATION | 12785 | 09/20/1999 | 281-78(b)(1)(A) | 1999-0347 | FINED | | 1,000.00 |
| WARNING | 99999 | 07/09/1996 | 281-71 | | | | * |
| VIOLATION | 99999 | 02/03/1996 | 281-78(b)(1)(A) | 9999-9999 | OTHER | 05/28/1996 | * |
| VIOLATION | 99999 | 05/13/1995 | 281-78(b)(1)(A) | 9999-9999 | OTHER | 09/05/1995 | * |
| WARNING | 99999 | 01/11/1995 | 281-71 | | | | * |
| VIOLATION | 99999 | 04/06/1994 | 281-78(b)(1)(A) | 9999-9999 | OTHER | 06/21/1994 | * |

Records printed: **50**

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D0112 FOODLAND SUPER MARKET, LTD. STORE NO. 2
414 N. SCHOOL ST

EXHIBIT B 4

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|----------------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 25103 | 05/16/2017 | 281-78(b)(1)(A) | 2017-0110 | FINED | 09/21/2017 | 1,000.00 * |
| VIOLATION | 20122 | 10/30/2008 | 281-78(b)(1)(A) | 2008-0291 | FINED | 02/26/2009 | 750.00 * |
| COMPLAINT AND VIOLATION | 11097 | 07/14/2000 | 281-101.5(b) | | | | * |
| | 13514 | 04/20/2000 | 281-78(b)(1)(A) | 2000-0202 | FINED | 08/19/2000 | 1,000.00 * |
| WARNING | 13290 | 04/04/2000 | 281-71 | | | | * |
| VIOLATION | 99999 | 06/24/1977 | 999999999999999999 | 9999-9999 | FINED | 07/14/1977 | 250.00 * |

Records printed: 6

Printed: 08/04/2020

2:17PM

* - Denotes fine paid

CA: mm mm - Denotes amount of fine collected by collection agency

Page: 1

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D0115

FOODLAND SUPER MARKET, LTD. STORE NO. 8
45-480 KANEONE BAY DR

EXHIBIT B 5

| NOTICETYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|------------|------------------|-------------------|-----------------|----------------|-------------|------------|--------------|
| VIOLATION | 22269 | 12/08/2011 | 281-78(b)(1)(A) | 2011-0333 | FINED | 04/09/2013 | 750.00 * |
| VIOLATION | 20135 | 11/20/2008 | 281-78(b)(1)(A) | 2008-0322 | FINED | 02/25/2009 | 750.00 * |
| VIOLATION | 17424 | 03/03/2005 | 281-78(b)(1)(A) | 2005-0130 | FINED | 07/16/2005 | 1,000.00 * |
| VIOLATION | 13308 | 03/11/2000 | 281-78(b)(1)(A) | | | | * |
| VIOLATION | 13312 | 03/11/2000 | 281-78(b)(1)(A) | 2000-0104 | FINED | 07/01/2000 | 1,000.00 * |
| WARNING | 99999 | 04/13/1995 | 281-71 | | | | * |

Records printed: 6

Printed: 08/04/2020

2:17PM

* - Denotes fine paid

CA: m.r.m - Denotes amount of fine collected by collection agency

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D0117

FOODLAND SUPER MARKET LTD STORE NO 10
823 CALIFORNIA AVE

NOTICETYPE

NOTICE VIOLATION
NUMBER DATE

SECTION/RULE

CASE
NUMBER

DISPOSITION

DUE DATE

AMOUNT FINED

VIOLATION

13501

03/25/2000

281-78(b)(1)(A)

2000-0127

FINED

10/04/2000

1,000.00 *

Records printed: 1

EXHIBIT B 6

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D0121

FOODLAND SUPER MARKET LTD STORE 19
95-221 KIPAPA DR

EXHIBIT B 1

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 24374 | 12/14/2015 | 3-82-41.2(b) | | | | |
| VIOLATION | 14714 | 03/16/2002 | 281-78(b)(1)(A) | 2002-0089 | FINED | 07/30/2002 | 1,000.00 * |
| WARNING | 99999 | 08/17/1988 | 999999999999999999 | | | | * |

Records printed: 3

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0122 FOODLAND SUPERMARKET LTD. STORE NO. 27
59-720 KAMEHAMEHA HWY

EXHIBIT B 6

| NOTICETYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|---------------|------------------|-------------------|----------------------|----------------|-------------|------------|--------------|
| VIOLATION | 27567 | 03/14/2020 | 281-78(b)(1)(A) | 2020-0082 | | | * |
| COMPLAINT AND | 12207 | 11/08/2007 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 12230 | 11/08/2007 | 281-101.5(a) | | | | * |
| COMPLAINT AND | 11952 | 12/02/2006 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 11476 | 04/30/2003 | 281-101.5(b) | | | | * |
| WARNING | 10960 | 12/30/1997 | 101.5-2 | | | | * |
| WARNING | 10961 | 12/30/1997 | 281-44(a) | | | | * |
| VIOLATION | 99999 | 12/27/1995 | 281-78(b)(1)(A) | 9999-9999 | REPRIMANDED | 04/02/1996 | * |
| WARNING | 99999 | 06/29/1994 | 99999999999999999999 | | | | * |
| WARNING | 99999 | 07/01/1993 | 99999999999999999999 | | | | * |
| WARNING | 99999 | 07/01/1993 | 38-2 | | | | * |
| WARNING | 99999 | 09/15/1988 | 99999999999999999999 | | | | * |

Records printed: 12

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D0577

FOODLAND SUPER MARKET, LTD.
94-1040 WAIPIO UKA ST

EXHIBIT B 9

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 24372 | 03/11/2016 | 3-82-41.2(b) | 2016-0078 | FINED | 06/21/2017 | 500.00 * |
| DISCREPANCY | 01257 | 06/30/2013 | 3-81-17.57 | 2013-9988 | AUDIT | | 185.33 * |
| WARNING | 11815 | 12/08/1998 | 281-71 | | | | * |

Records printed: 3

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0831
SACK NSAVE
4561 SALT LAKE BLVD

EXHIBIT B 10

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 26092 | 05/19/2018 | 281-78(b)(1)(A) | 2018-0214 | FINED | 08/30/2018 | 1,000.00 * |
| COMPLAINT AND | 11821 | 12/06/2006 | 281-101.5(b) | | | | * |
| COMPLAINT AND | 12002 | 12/06/2006 | 281-101.5(a) | | | | * |
| WARNING | 10731 | 10/18/1997 | 281-44(a) | | | | * |
| WARNING | 10336 | 06/10/1997 | 281-46 | | | | * |
| VIOLATION | 10336 | 06/10/1997 | 281-46 | 1997-0502 | | | * |
| WARNING | 99999 | 08/24/1994 | 281-71 | | | | * |

Records printed: 7

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D0930

FOODLAND SUPER MARKET, LTD. STORE NO. 16
91-1401 FORT WEAVER RD

EXHIBIT B 11

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 23292 | 05/05/2018 | 281-78(b)(1)(A) | 2018-0208 | FINED | 10/19/2018 | 1,000.00 * |
| VIOLATION | 17878 | 02/11/2006 | 281-78(b)(1)(A) | | | | |
| VIOLATION | 18711 | 02/11/2006 | 281-78(b)(1)(A) | 2006-0152 | FINED | 02/06/2007 | 1,000.00 * |
| WARNING | 18653 | 02/07/2006 | 3-82-36.1 | | | | * |
| VIOLATION | 17995 | 05/25/2005 | 44-1(c) | 2005-0181 | FINED | | 100.00 * |
| VIOLATION | 17996 | 05/25/2005 | 44-1(d) | 2005-0181 | FINED | | 100.00 * |
| WARNING | 13035 | 09/02/1999 | 281-71 | | | | * |

Records printed: 7

Printed: 08/04/2020

2:18PM

* - Denotes fine paid

CA: m.m.m - Denotes amount of fine collected by collection agency

Page: 1

HISTORY OF VIOLATIONS

No Date Range Specified

EXHIBIT B 12

LICENSE: D0990

FOODLAND SUPER MARKET, LIMITED NO. 37
108 HEKILI ST

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 20203 | 05/22/2008 | 3-82-38.9(a)(2) | 2008-0057 | OTHER | | * |
| WARNING | 14501 | 10/06/2001 | 281-71 | | | | * |
| VIOLATION | 14502 | 10/06/2001 | 38-2 | 2001-0258 | FINED | 02/20/2002 | 100.00 * |
| WARNING | 14503 | 10/06/2001 | 101.5-2 | | | | * |

Records printed: 4

HISTORY OF VIOLATIONS
No Date Range Specified

LICENSE: D1240
FOODLAND FARMS
1450 ALA MOANA BLVD, SPACE 8000

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 26534 | 02/12/2019 | 281-78(b)(1)(A) | 2019-0057 | FINED | 07/20/2019 | 1,000.00 * |

Records printed: 1

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0227 KU AI MARKET #1416
2335 KALAKAUA AVE

Food Pantry, Ltd.

| NOTICETYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|------------|------------------|-------------------|--------------------|----------------|-------------|------------|--------------|
| VIOLATION | 16295 | 08/29/2004 | 38-9(a)(2) | 2004-0201 | FINED | 01/13/2005 | 250.00 * |
| VIOLATION | 16296 | 08/29/2004 | 36-1 | 2004-0201 | FINED | 01/13/2005 | 250.00 * |
| VIOLATION | 16707 | 03/20/2004 | 36-1 | 2004-0064 | FINED | 07/01/2004 | 100.00 * |
| VIOLATION | 16708 | 03/20/2004 | 44-1(d) | 2004-0064 | FINED | 07/01/2004 | 100.00 * |
| VIOLATION | 16709 | 03/20/2004 | 38-2 | 2004-0064 | FINED | 07/01/2004 | 100.00 * |
| VIOLATION | 99999 | 07/20/1975 | 999999999999999999 | 9999-9999 | FINED | 08/04/1975 | 100.00 * |

Records printed: 6

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0258 MALAMA MARKET
92-585 A MAKAKILO DR

EXHIBIT B 15

| NOTICETYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|------------|------------------|-------------------|---------------------|----------------|-------------|------------|--------------|
| VIOLATION | 14870 | 03/16/2002 | 281-78(b)(1)(A) | 2002-0151 | FINED | 10/12/2002 | 2,000.00 * |
| VIOLATION | 10557 | 03/17/2001 | 281-78(b)(1)(A) | 2001-0078 | FINED | | 2,000.00 * |
| VIOLATION | 13858 | 03/18/2000 | 281-78(b)(1)(A) | 2000-0115 | FINED | 07/28/2000 | 1,000.00 * |
| WARNING | 11125 | 04/28/1998 | 101.5-2 | | | | * |
| WARNING | 99999 | 06/24/1996 | 281-71 | | | | * |
| VIOLATION | 99999 | 02/13/1988 | 9999999999999999999 | 9999-9999 | FINED | 04/29/1988 | 500.00 * |

Records printed: 6

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0300 KU AI MARKET #1430
150 KAIULANI AVE

EXHIBIT B 16

| NOTICETYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|------------|------------------|-------------------|--------------------|----------------|-------------|------------|--------------|
| VIOLATION | 22247 | 02/07/2013 | 281-78(b)(1)(A) | 2013-0050 | FINED | 11/12/2013 | 750.00 * |
| VIOLATION | 18065 | 02/24/2005 | 281-78(b)(1)(A) | | | | |
| VIOLATION | 16292 | 08/23/2004 | 38-9(a)(2) | 2004-0199 | FINED | 12/07/2004 | 250.00 * |
| VIOLATION | 16293 | 08/23/2004 | 36-1 | 2004-0199 | FINED | 12/07/2004 | 100.00 * |
| VIOLATION | 13529 | 04/13/2000 | 281-78(b)(1)(A) | 2000-0173 | FINED | 08/15/2000 | 1,000.00 * |
| VIOLATION | 99999 | 08/01/1973 | 999999999999999999 | 9999-9999 | FINED | 08/27/1973 | 17.00 * |

Records printed: 6

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0311
FOOD PANTRY
438 HOBRON LN

EXHIBIT B 17

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|----------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 19824 | 10/11/2007 | 281-78(b)(1)(A) | 2007-0321 | FINED | 06/03/2008 | 1,000.00 * |
| WARNING | 13747 | 06/06/2001 | 44-1(c) | | | | * |
| VIOLATION | 13319 | 03/16/2000 | 281-78(b)(1)(A) | 2000-0100 | FINED | 07/01/2000 | 1,000.00 * |
| WARNING | 99999 | 12/06/1994 | 281-71 | | | | * |
| WARNING | 99999 | 09/29/1988 | 99999999999999999999 | | | | * |

Records printed: 5

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D0623

ACCENTS
410 ATKINSON DR

EXHIBIT B 14

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 18855 | 04/27/2006 | 3-86-101.51(a) | | | | * |
| VIOLATION | 18859 | 04/27/2006 | 281-78(b)(1)(A) | 2006-0213 | FINED | 12/02/2006 | 1,000.00 * |
| VIOLATION | 17159 | 06/05/2004 | 281-46 | 2004-0355 | FINED | 04/27/2005 | 250.00 * |
| WAF 1G | 99999 | 03/22/1995 | 36-1 | | | | * |

Records printed: 4

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0742

ACCENTS
100 HOLOMOANA ST

EXHIBIT B 19

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 13502 | 03/25/2000 | 281-78(b)(1)(A) | 2000-0126 | FINED | 10/06/2000 | 1,000.00 * |
| WARNING | 99999 | 06/11/1996 | 281-71 | | | | * |
| WARNING | 99999 | 07/22/1995 | 36-1 | | | | * |
| WAF-IG | 99999 | 03/22/1995 | 101.5-2 | | | | * |

Records printed: 4

Printed: 08/04/2020 2:22PM

* - Denotes fine paid

CA: m.m.m - Denotes amount of fine collected by collection agency

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D0748
 WHALER S GENERAL STORE
 2040 KUHIO AVE

EXHIBIT B20

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 23853 | 01/16/2014 | 3-82-38.9(a)(2) | | | | * |
| VIOLATION | 23062 | 11/29/2012 | 281-78(b)(1)(A) | 2012-0454 | FINED | 08/16/2013 | 1,000.00 * |
| VIOLATION | 23067 | 11/29/2012 | 281-78(b)(1)(A) | 2012-0454 | | | * |
| VIOLATION | 15838 | 01/15/2004 | 281-78(b)(1)(A) | 2004-0034 | FINED | | 1,000.00 * |

Records printed: 4

Printed: 08/04/2020

2:22PM

* - Denotes fine paid

CA: m.m.m - Denotes amount of fine collected by collection agency

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D1003

LAMONT S GIFT AND SUNDRY
57-091 KAMEHAMEHA HWY

EXHIBIT B 21

| NOTICETYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|------------|------------------|-------------------|-----------------|----------------|-------------|------------|--------------|
| VIOLATION | 26105 | 04/14/2018 | 281-78(b)(1)(A) | 2018-0130 | FINED | 08/30/2018 | 1,000.00 * |
| VIOLATION | 20593 | 12/10/2009 | 281-78(b)(1)(A) | 2009-0271 | FINED | 03/04/2010 | 500.00 * |

Records Printed: 2

HISTORY OF VIOLATIONS
No Date Range Specified

LICENSE: D1017 KU AI MARKET #1400
2570 KALAKAUA AVE

EXHIBIT B 22

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 24259 | 07/29/2014 | 3-83-62(a) | 2014-0213 | | | |

Records printed: 1

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D1072

BEACHCOMBER MARKET
2300 KALAKAUA AVE

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 27122 | 09/17/2019 | 281-62 | 2019-0379 | | | |
| VIOLATION | 24351 | 04/08/2014 | 3-83-62(a) | 2014-0185 | FINED | 03/14/2015 | 500.00 * |

Recd printed: 2

HISTORY OF VIOLATIONS No Date Range Specified

LICENSE: D1089
COCO COVE
2284 KALAKAUA AVE, SPACE A

EXHIBIT B 24

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 26731 | 02/16/2019 | 281-78(b)(1)(A) | 2019-0077 | FINED | 07/10/2019 | 2,000.00 * |
| VIOLATION | 24109 | 01/17/2015 | 281-78(b)(1)(A) | 2015-0019 | FINED | 08/15/2015 | 1,000.00 * |

Recd printed: 2

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D1093

KU AI MARKET #1401
3253 N. NIMITZ HWY

EXHIBIT B 25

Ford Rautsky, Ltd.

| NOTICETYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|------------|------------------|-------------------|-----------------|----------------|-------------|------------|--------------|
| VIOLATION | 27316 | 02/08/2020 | 281-78(b)(1)(A) | 2020-0098 | | | |
| VIOLATION | 24260 | 07/30/2014 | 3-83-62(a) | 2014-0211 | | | |
| VIOLATION | 21296 | 11/18/2010 | 281-78(b)(1)(A) | 2010-0325 | FINED | 03/17/2011 | 750.00 * |

Records printed: 3

Printed: 08/04/2020

2:45PM

* - Denotes fine paid

CA: mn mn - Denotes amount of fine collected by collection agency

Page: 1

HISTORY OF VIOLATIONS
No Date Range Specified

LICENSE: D1094
KU AI MARKET #1419
3401 N. NIMITZ HWY

EXHIBIT B 26

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| WARNING | 23829 | 07/16/2015 | 3-82-38.2 | | | | * |

Records printed: 1

HISTORY OF VIOLATIONS **No Date Range Specified**

LICENSE: D1119
ACCENTS
2259 KALAKAUA AVE

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|-------------------|--------------------------|---------------------------|---------------------|------------------------|--------------------|-----------------|---------------------|
| VIOLATION | 21175 | 12/02/2010 | 281-78(b)(1)(A) | 2010-0340 | FINED | 03/16/2011 | 750.00 * |

Records printed: 1

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D1217

WHALE S GENERAL STORE #1215
66-111 KAMEHAMEHA HWY

| NOTICETYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|------------|------------------|-------------------|-----------------|----------------|-------------|------------|--------------|
| VIOLATION | 24881 | 05/20/2017 | 281-78(b)(1)(A) | 2017-0111 | FINED | 09/28/2017 | 1,000.00 * |
| WARNING | 25060 | 08/18/2016 | 3-82-38.2 | | | | * |

Records Printed: 2

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: D0206

MALAMA MARKET
66-190 KAMEHAMEHA HWY

The Kalamama Beach Corporation

| NOTICETYPE | NOTICE NUMBER | VIOLATION DATE | SECTION/RULE | CASE NUMBER | DISPOSITION | DUE DATE | AMOUNT FINED |
|------------|------------------|-------------------|-----------------|----------------|-------------|------------|--------------|
| VIOLATION | 25967 | 10/30/2017 | 281-41(i) | 2018-0112 | FINED | 07/10/2018 | 500.00 * |
| VIOLATION | 24721 | 12/14/2015 | 281-41(i) | 2016-0121 | FINED | 02/01/2017 | 300.00 * |
| VIOLATION | 19049 | 07/21/2007 | 281-78(b)(1)(A) | 2007-0220 | FINED | 02/26/2008 | 1,000.00 * |
| VIOLATION | 18088 | 03/11/2006 | 281-78(b)(1)(A) | 2006-0128 | | | |
| VIOLATION | 13861 | 04/01/2000 | 281-78(b)(1)(A) | 2000-0139 | FINED | 08/26/2000 | 1,000.00 * |
| VIOLATION | 99999 | 01/23/1995 | 38-2 | 9999-9999 | FINED | 05/17/1995 | 100.00 * |
| WARNING | 99999 | 01/10/1995 | 38-2 | | | | * |

Records printed: 7

Printed: 08/04/2020

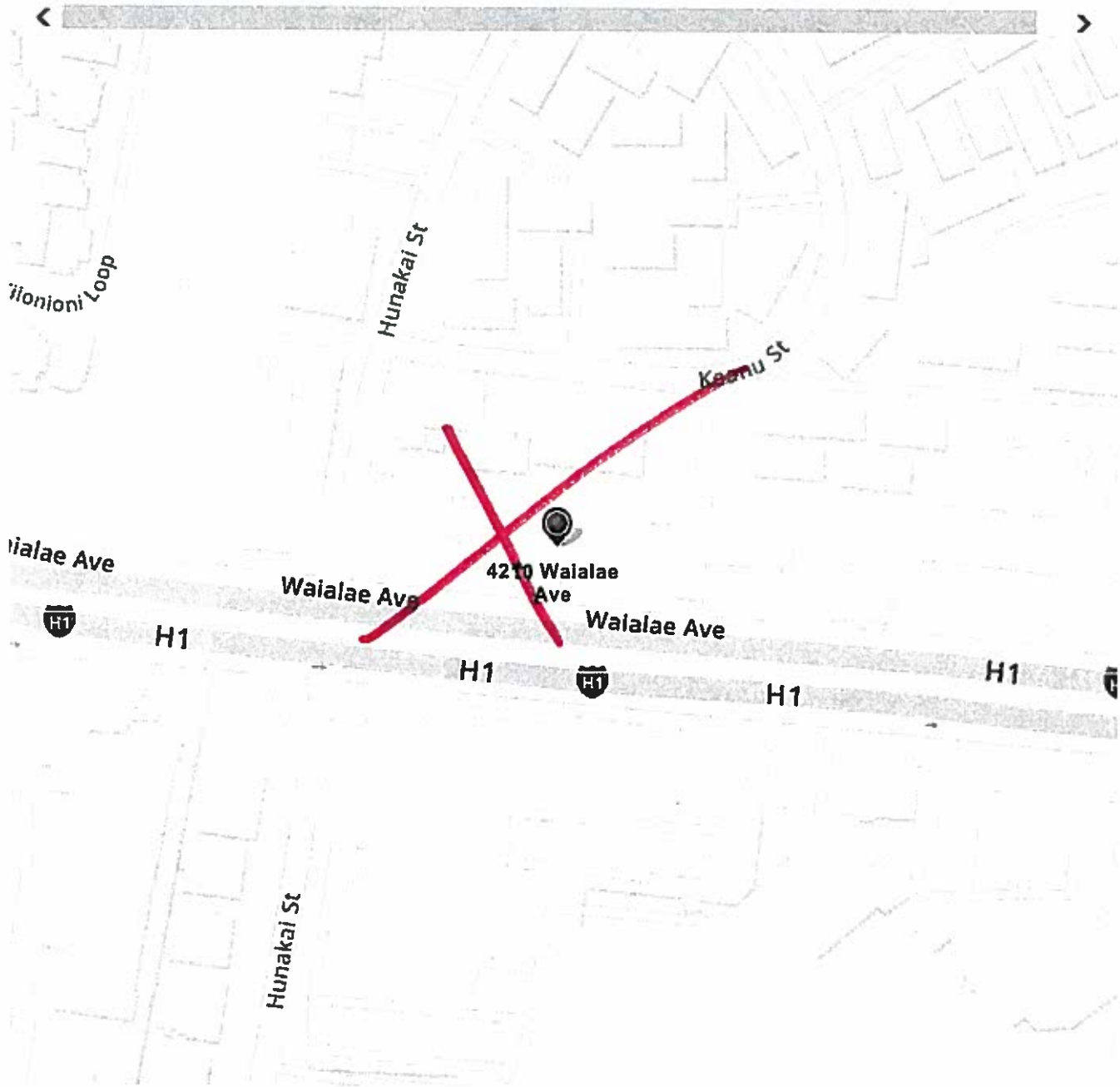
2:47PM

* - Denotes fine paid

CA: mn.mn - Denotes amount of fine collected by collection agency

4210 Waialae Ave

Honolulu | HI 96816-5307



LICENSING INVESTIGATIVE REPORT

DATE: September 25, 2020

SUBJECT: Application No. 20-21596 from Oishy Inc., dba Sakura Terrace, for a Restaurant General (Category 2 – Live entertainment, recorded music, and dancing) license at 1240 South King Street, Honolulu

CORPORATE STRUCTURE:

Oishy Inc.: Incorporated under the laws of the State of Hawaii on May 14, 2019, the corporation is authorized to issue 2,000 shares of common stock, of which 500 shares are currently issued and outstanding.

The officers, directors, and stockholders are:

| | | <u>Shares</u> | <u>Percent</u> |
|-----------------|---------|---------------|----------------|
| Katsue Ichikawa | P/S/T/D | 500 | 100% |

See **Exhibit A** for biographical background information on the principal. Criminal History Clearance form has been received.

According to Notification of Authorized Agent form, dated May 25, 2020, Katsue Ichikawa, President of Oishy Inc., authorizes Junsuke Aaron Otsuka, Attorney, to serve as an authorized agent for the company before the Liquor Commission.

FINGERPRINTS:

Katsue Ichikawa was fingerprinted by an outside agency on March 23, 2020. **Federal Bureau of Investigation fingerprint results are pending.**

FINANCIAL STATEMENT OF OISHY INC., AS OF DECEMBER 31, 2019:

Financial Statement of the Applicant, dated December 31, 2019, was submitted to the Commission and certified by the Applicant to be substantially correct, as of December 31, 2019.

COST AND FINANCING:

The approximate cost for renovations to the restaurant is estimated at \$723,805.35.

TRADE NAME:

According to a Certificate of Registration of Trade Name from the State of Hawaii Department of Commerce and Consumer Affairs, dated July 15, 2019, Oishy Inc. has secured the use of the trade name "Sakura Terrace" for five (5) years from July 15, 2019 to July 14, 2024.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed licensed premises is located at 1240 South King Street.

Details of premises

- Approximately 1,786 sq. ft.
- Irregular in shape, approximately 39 feet by 60 feet overall
- Indoor dining area, outdoor terrace, bar, kitchen, office, and women's restroom.
- There will be no dancing allowed in the premises. As such, there is no designated dance floor.

See Exhibit B

There is a unisex restroom located outside of the licensed premises in the northeast corner. **There is also a storage room located outside of the licensed premises in the northwest corner. No liquor will be stored in the outside storage room.**

Parking: There are approximately 14 parking stalls available for customers onsite, and also metered street in the surrounding area.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

International Japanese Christian Church located at 1252 Young Street approximately 280 feet north of the proposed premises.

SAME CLASS OF LICENSE WITHIN 500 FEET OF PREMISES:

Advanced Fresh Concepts Food Service Corp.
DbA Bakery & Table Hawaii (R1134)
938 Piikoi Street
490 feet west of the premises

Ikka Dining International, Inc.
DbA Golden Pork (R0219)
1279 South King Street
205 feet southeast of the premises

Kyungs Seafood, Inc.
DbA Kyungs Seafood Inc. (R0718)
1269 South King Street
155 feet southeast of the premises

FCH Enterprises, Inc.
DbA Zippy's (R0166)
1222 South King Street
140 feet west of the premises

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of September 25, 2020, there are 536 restaurant licenses issued within the City and County of Honolulu, of which 496 are of the restaurant general kind.

OTHER MATTERS PERTAINING TO THE APPLICATION THAT MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of business: The business will be a Japanese restaurant with liquor service. Its operation will be similar to that of *TS Hawaii LLC, the previous Licensee. The hours of operation will be from 11:30 a.m. to 2:30 p.m. for lunch, and from 5:00 p.m. to 11:00 p.m. for dinner, Tuesday thru Sunday, and closed Monday. Hideaki Kishishita (back of house), Man Bong Chin (front of house) and Katsuyoshi Kajima (office) will manage the restaurant with approximately 22 employees.

Business Plan:

See **Exhibit C**

Lease: According to an undated, but executed Lease, Jeffery Wayne Loo, as Trustee of the Colleen Satsuki Omori Elfalan Family Assets Revocable Trust dated July 13, 2001, and Jeffery Wayne Loo, as Trustee of the Sharyn Omori Nakamoto Trust Dated March 9, 2001 (Lessor) leases to Oishy Inc. (Lessee) approximately 8,563 square feet of land and improvements located at 1240 and 1242 South King Street.

Term: The lease shall be for a term commencing on July 1, 2019 and terminating on June 30, 2024.

Option: One (1) additional five (5) year period.

*Background: TS Hawaii LLC, dba Sakura Terrace previously exercised a Restaurant General license (R0967) at the subject location. Oishy Inc., an affiliate of TS Hawaii LLC, attempted to transfer the license, but was unable to due to TS Hawaii LLC being terminated as an entity on December 31, 2019. TS Hawaii LLC was terminated due to the owner wanting a write off of investments.

The previous license was conditionally granted to TS Hawaii LLC by the Commission, on August 25, 2011, subject to the condition that there be no dancing.

OTHER LIQUOR LICENSE INTERESTS:

According to Commission records, Katsue Ichikawa was an officer and 100% stockholder of Tozai Hawaii Inc., which in turn was the 100% member of TS Hawaii LLC. TS Hawaii LLC, dba exercised a Restaurant General license (R0967) from November 3, 2011 to June 30, 2020. The license was placed in safekeeping on November 15, 2019 and was subsequently not renewed.

See **Exhibit D**

NOISE IMPACT EVALUATION:

See **Exhibit E**

ZONING CLEARANCE:

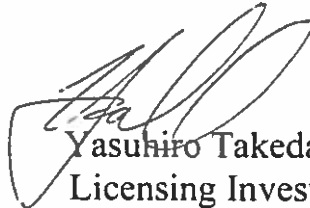
The applicant has submitted a valid Zoning Clearance issued by the Department of Planning and Permitting, dated April 8, 2020.

HAWAII REVISED STATUTES SECTION 281-56(a)(9) STATEMENT:


As of September 25, 2020, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

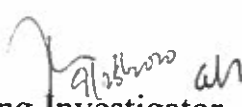
OPINION:

In my opinion, the applicant has met the statutory requirements.


Yasuhiro Takeda
Licensing Investigator

Reviewed by:


Daniel Sato
Supervising Licensing Investigator



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LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

2020 JUN 24 A 8:04

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

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C&C OF HONOLULU

2020 MAR 17 P 1:21

NAME Ichikawa, Katsue SOCIAL SECURITY NO. _____
Last, First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
CITY _____ STATE _____ ZIP CODE _____ HOME _____
PLACE BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS Single
(City, State) (MM / DD / YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 12 YEAR COMPLETED 1975 NAME OF SCHOOL Japan Women Fuzoku
(include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 4 YEAR COMPLETED 1979 NAME OF COLLEGE Japan Women University
(include City and State)
OTHER EDUCATION _____

CITIZENSHIP* E-2 Visa DATE ARRIVED IN HAWAII (if applicable) 3/1/2011 (First E-2)
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

| FROM MONTH/YEAR | TO MONTH/YEAR | POSITION | EMPLOYER | LOCATION |
|---------------------------------|---------------|----------------|-------------------------------|------------------|
| 04/1979 | Present | President | Tozai Tatemono Co., Ltd. | Tokyo, Japan |
| (1990 VP and President in 2007) | | | | |
| 2007 | Present | President | Ichikawa Shouji Co., Ltd | Tokyo, Japan |
| 2007 | Present | President | Ichikawa Shouten Co., Ltd | Tokyo, Japan |
| 2009 | 04/2011 | Vice President | Parteners International, Inc. | Honolulu, Hawaii |
| 08/2009 | Present | President | Tozai Hawaii, Inc. | Honolulu, Hawaii |

(If additional space is needed, please use reverse side)

NOTARY INITIAL _____

List your experience in the liquor industry:

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C&C OF HONOLULU

2020 JUN 24 A 8:04

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LIQUOR COMMISSION
C&C OF HONOLULU

2020 MAR 17 P 1:21

Will you devote time to manage the subject business?



Yes



No

If answer is "YES", will it be



Full time, or



Part-time?

I, Katsue Ichikawa

, of

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not been convicted of any felony charge.

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII

City and County of Honolulu

} SS.

On this 11 day of September, in the year of 2019, personally appeared Katsue Ichikawa

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

11 day of September, 2019

Signature of Notary

Print Name: Christy M. Hong

Notary Public, State of Hawaii

My commission expires 11/12/2022

NOTARY CERTIFICATION

Date of Doc: 09/11/2019

of Pages: 2

Notary Name: Christy M. Hong

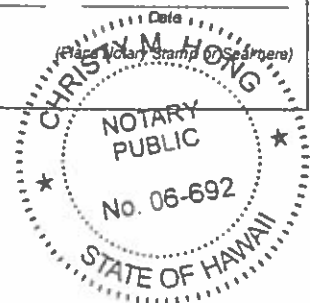
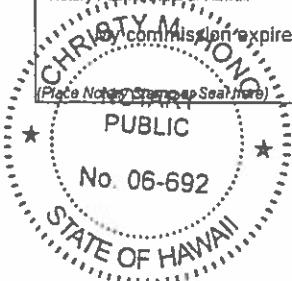
First Circuit

Doc. Description: Personal History and Affidavit

Notary Signature

Date: 09/11/2019

(Place Notary Stamp or Seal here)



NEW FLOOR PLAN

0-1-0-3775

TRAINING CAPABILITY

—

BUSIENSS PLAN REGARDING 30% GROSS RENENUE

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200 01 24 A 0: 05

Oishy Inc. dba Sakura Terrance will operate a Japanese restaurant with food and liquor. Its operation will be similar to that of TS Hawaii, Inc. It will have a similar menu of that of TS Hawaii, LLC. dba Sakura Terrance. It is managed by affiliated owners. According to TS Hawaii, LLC, records it Gross Revenue to Liquor Raito was following.

| | 7/17-6/18 | 7/17-6/18 | 7/18-6/19 |
|--------|--------------|--------------|------------|
| Food | \$739,954.81 | \$775,667.40 | \$8,148.55 |
| Liquor | \$ 44,857.70 | \$ 56,752.74 | \$ - |
| Total | \$784,812.51 | \$832,420.14 | \$ - |
| Raito | 5.72% | 6.82% | 0% |

TS Hawaii, Inc.

Applicant is a restaurant establishment and will also serves alcohol. There was new construction made to the Premises. Applicant merely take over the existing business with renovations. Applicant will operate from Lunch: 11:30 a.m. to 14:30 p.m., Dinner: 17:00 p.m. to 23:00 p.m. Applicant shall serve Japanese foods along with liquor. Maximum seating capacity is 64 persons. There will be takeout. Sushi (raw food) will be served.

It is expected that similar ratio will be maintained. Attached, please find Annual Reporting of TS Hawaii, Inc. Please also find menu.

EXHIBIT C

Special Nori Bento Regular (fried fish cake, grilled salmon, kinpira gobo, tamago) \$9.99

Special Nori Bento Deluxe (sashimi x2, fried fish cake, grilled salmon, kinpira gobo, tamago) \$13.99

Sakura Bento (rice, miso soup, side dishes x3, sashimi) \$15.00

Choice: Steak

Maguro Steak

Tempura (Shrimp x2, Vegetable x3)

Gindara Mirin +\$5.00

Sushi (maguro, salmon, hamachi, shrimp, today's sushi roll) +\$5.00

Sakura Chirashi (catch of the day) \$20.00

Sakekura Don (salmon, salmon roe) \$17.00

Ahipoke Don (maguro, ogo, onion) \$15.00

Spicy Tuna Don (maguro) \$14.00

Gyu Don \$8.99

Omelet (chicken) \$9.99

Yakichasoba (beef, egg, green onion) \$12.99

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C&C OF HONOLULU

* All menu come with salad

* Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness.

* 18% gratuity charge will be added to your bill for parties of 6 or more.

* 3% hospitality charge will be added to your bill for rewarding our staff. Thank you.

前 Pupu appetizer

- Edamame boiled soybeans with anchovy dip \$3.5
- Mozuku seaweed from Okinawa \$3.5
- Takobutsu octopus with cucumber, seaweed, ume sauce \$7.5
- Nebatoro grated mountain yam, natto, quail egg marinated tuna \$9

野 Salad

- Green Salad spring mix with onion miso dressing \$7
- Tuna Salad tuna potato salad \$7
- Pipikaula Salad Pipikaula, Pearlridge watercress with poached egg \$12
- Papaya Salad local green papaya, fried fish, calamandin dressing \$10

熱 Hot Dishes

- Foie Gras Daikon Hudson Valley duck liver with daikon radish \$18
- Dashimaki Tamago local fresh eggs with dashi broth Japanese style omelette \$6
- Sujikon Tofu tendon stew with tofu \$7.5
- Asari Sakamushi sake steamed clams \$9

揚 Deep Fried

- Yashi no Shinme Big Island Heart of Palm tempura \$9.5
- Nasu Gyoza local eggplant fried dumpling \$9
- Yasai no Tempura vegetable tempura \$8
- Satsuma imo Cheese local sweet potato with blue cheese \$7
- Saba Harumaki grilled Mackerel spring roll mustard sauce \$9

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LIQUOR COMMISSION
C&C OF HONOLULU
AUG 8 2008

* Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness
* 18% gratuity charge will be added to your bill for parties of 6 or more.
* 3% hospitality charge will be added to your bill for rewarding our kitchen staffs. Thank you.

Signature Dishes

- Misopoke Sweet miso sesame tuna with finger lime \$12
- Hamachi Carpaccio Yellow tail with jalapeno ponzu \$13
- Mushiawabi Dashijure Steamed Big Island Abalone with dashi jelly and uni \$24
- Kani to caviar no Monaka Crab meat with caviar on monaka \$26

Grilled Dishes

- Gindara Mirin Grilled marinated butterfish \$20
- Sake Harasu Grilled salmon belly with grated daikon and salmon roe \$14
- Yasai Yaki Grilled assorted vegetable \$8
- Buri Kama Grilled yellow tail collar \$19
- Bacon Ippon Grilled thick bacon \$7
- Tonpei Yaki Pork Belly with vegetable omelette \$8
- Shoga Yaki Blackline pork steak with ginger sauce \$22
- Ribeye Steak 10oz Black Angus ribeye steak \$26

Soup

- Wakame Miso Seaweed miso soup \$3
- Asari Miso Clam miso soup \$5

Rice

- Ginshari California Koshihikari \$3
- Chirashi Assorted sashimi with sushi rice \$24
- Awabi Zousui Seasoned rice – porridge with abalone \$18
- Omurice Chicken rice omelette with gravy sauce \$10

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
JUN 24 A 8:08

*Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness
 *18% gratuity charge will be added to your bill for parties of 6 or more.
 *3% hospitality charge will be added to your bill for rewarding our kitchen staffs. Thank you.

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
200 JUN 24 A 8:08

握 Nigiri (2pc)

| | |
|---------------|------------------------|
| Maguro | tuna \$8 |
| Chutoro | medium fatty tuna \$15 |
| Sake | Salmon \$6.5 |
| Hamachi | Yellow tail \$8 |
| Awabi | Abalone \$10 |
| Kona Kampachi | Amber jack \$7 |
| Ebi | Shrimp (boiled) \$7 |
| Yari Ika | Squid \$7 |
| Botan Ebi | Jumbo Sweet Shrimp \$8 |
| Hotate | Fresh scallop \$10 |
| Ikura | Salmon roe \$8.5 |
| Tako | Octopus \$8 |
| Uni | Sea urchin MP |
| Tamago | Sweet egg omelette \$6 |

EXHIBIT C

*Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness
*18% gratuity charge will be added to your bill for parties of 6 or more.
*3% hospitality charge will be added to your bill for rewarding our kitchen staffs. Thank you.

☐ Roll

- California Crabmeat cucumber avocado \$9
- Shrimp tempura Shrimp tempura spicy tuna cucumber tobiko \$10
- Shaka Softshell crab tempura cucumber avocado yamagobo tobiko shiso \$13
- Rainbow Palette Tuna salmon yellow tail tamago tobiko takuan unagi shiso \$18
- Mauna Kea Spicy salmon cucumber cream cheese tobiko \$14
- Ohana Salmon salmon skin cucumber takuan bonito flake salmon roe \$15
- Spicy Double Tuna Tuna spicy tuna cucumber tobiko \$16

卷 Maki

- Tekka Tuna \$5
- Kappa Cucumber \$3.5
- Kanpyo Dried shavings of gourd \$3.5
- Torotaku Tuna takuan \$7.5
- Negitoro Tuna Tokyo negi \$7.5
- Tunaavo Tuna avocado \$7
- Salmonavo Salmon avocado \$6.5
- Spicytuna Spicy Tuna cucumber \$7
- Spicysalmon Spicy salmon cucumber \$6.5

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2008 JUN 24 A 8:08

*Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness
*18% gratuity charge will be added to your bill for parties of 6 or more.

*30% gratuity charge will be added to your bill for reservation over 12:00pm staff. Thank you.

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LIQUOR COMMISSION

LIQUOR COMMISSION
C&C OF HONOLULU

R

2019 JUL -1 A 8:41

711 KAPOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-6243
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/hlc

JUL 24 A 8:07

DECLARATION OF GROSS LIQUOR SALES

RESTAURANT

FOR LATE FILING ONLY

☐ OTC BY _____
☐ PM DATE _____

[FY19 ANNUAL REPORTING]

(Pursuant to Rule 3-81-17.54(c))

REPORT DUE WEDNESDAY, JULY 31, 2019

To report a partial period, use a "Partial Period Reporting Form"

For input instruction, move your cursor over the red field.

LICENSEE TS HAWAII LLC.

LICENSE NO. **R0967**

TRADE NAME SAKURA TERRACE

PHONE NO. (808) 389-1761

MAILING ADDRESS 1240 S. KING STREET HONLULU, HI 96814

NAME/TITLE OF PERSON PREPARING REPORT Katsuyoshi Kajima / Office Manager

PHONE NO. (808) 389-1761

EMAIL ADDRESS (Required) kajima@sakuraterrace.com

COMPUTATION OF ADDITIONAL LICENSE FEE

| | |
|---|-----------------|
| 1. Gross Sales from <u>JULY 1, 2018 to JUNE 30, 2019</u> (All sales include the State General Excise Tax and Off-premises Catering Sales.) | 1. 8,148.55 |
| 2. Total Food Sales | 2. 8,148.55 |
| 3. Total Non-Alcoholic Beverage Sales | 3. 0.00 |
| 4. Total Liquor Sales (Line 1 minus Lines 2 and 3) | 4. 0.00 |
| 5. Complimentary Drinks and/or Samples (Report at the full value) | 5. 0.00 |
| 6. GROSS LIQUOR SALES (GLS) (Add Lines 4 and 5) | 6. 0.00 |
| 7. Less FY19 Deductible | 7. 203,000.00 |
| 8. NET GLS (Line 6 minus Line 7. Enter "0", if less than "0".) | 8. 0.00 |
| 9. Assessment Rate of the class of the respective license | 9. 0.005 |
| 10. ADDITIONAL LICENSE FEE DUE AND PAYABLE (Multiply Lines 8 and 9; Limited to \$25,000) | 10. 0.00 |
| 11. Please Enter the Amount of Your Payment Please make checks payable to "City & County of Honolulu" | 11. 0.00 |

COST OF LIQUOR SOLD

| | |
|---|----------------|
| A. Beginning Liquor Inventory as of <u>July 1, 2018</u> | A. 6,398.28 |
| B. Total Liquor Purchases for Fiscal Year 2019 | B. 0.00 |
| C. Ending Liquor Inventory as of <u>June 30, 2019</u> | C. 6,398.28 |
| D. Cost of Liquor Sold for the period (Lines A + B - C) | D. 0.00 |

Pursuant to §3-81-17.5 et seq., the Rules of the Liquor Commission, and under the penalties set forth in §281, Hawaii Revised Statutes, I certify that this Gross Liquor Sales Report is true, accurate, and complete, and I am authorized to submit this report.

07/01/2019

Date

Signature of Officer, Member, or Authorized Agent

Katsuyoshi Kajima / Office Manager

Print Name/Title

OFFICE USE ONLY

Initial: SK
Date: 7/1/19 (enc)

For assistance, please contact HLC Auditing Team:
(808) 768-7343; Liq-Auditing@honolulu.gov

Turned in AA Form
to Nolan - SK

EXHIBIT C

PRINT FORM

RESET

HELP

LIQUOR COMMISSION

CITY AND COUNTY OF HONOLULU

711 KAPOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5243

PHONE (808) 768-7300 • FAX (808) 768-7311

INTERNET ADDRESS: www.honolulu.gov/liq

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CITY OF HONOLULU

R

DECLARATION OF GROSS LIQUOR SALES

RESTAURANT

FOR LATE FILING ONLY

☐ OTC BY _____☐ PM DATE _____

[FY18 ANNUAL REPORTING]

(Pursuant to Rule 3-81-17.54(c))

REPORT DUE TUESDAY, JULY 31, 2018

To report a partial period, use a "Partial Period Reporting Form"

For input instruction, move your cursor over the red field.

LICENSEE TS HAWAII LLC

LICENSE NO. R 0967

TRADE NAME SAKURA TERRACE

PHONE NO. 808-389-1761

MAILING ADDRESS 1240 S. KING ST. HONOLULU, HI 96814

NAME/TITLE OF PERSON PREPARING REPORT KATSUYOSHI KAJIMA

PHONE NO. 808-389-1761

EMAIL ADDRESS (Required) Kajima@sakuraterrace.com

COMPUTATION OF ADDITIONAL LICENSE FEE

| | |
|--|---------------|
| 1. Gross Sales from JULY 1, 2017 to JUNE 30, 2018 (All sales include the State General Excise Tax and Off-premises Catering Sales.) | 1. 775,667.40 |
| 2. Total Food Sales | 2. 713,892.35 |
| 3. Total Other Sales (i.e. Non-Alcoholic Beverages, Merchandise Sales) | 3. 5,022.31 |
| 4. Total Liquor Sales (Line 1 minus Lines 2 and 3) | 4. 56,752.74 |
| 5. Complimentary Drinks and/or Samples (Report at the full value) | 5. 0.00 |
| 6. GROSS LIQUOR SALES (GLS) (Add Lines 4 and 5) | 6. 56,752.74 |
| 7. Less FY18 Deductible | 7. 136,000.00 |
| 8. NET GLS (Line 6 minus Line 7. Enter "0", if less than "0".) | 8. 0.00 |
| 9. Assessment Rate of the class of the respective license | 9. 0.005 |
| 10. ADDITIONAL LICENSE FEE DUE AND PAYABLE (Multiply Lines 8 and 9; Limited to \$25,000) | 10. 0.00 |
| 11. Please Enter the Amount of Your Payment Please make checks payable to "City & County of Honolulu" | 11. 0.00 |

COST OF LIQUOR SOLD

| | |
|---|--------------|
| A. Beginning Liquor Inventory as of July 1, 2017 | A. 2,234.66 |
| B. Total Liquor Purchases for Fiscal Year 2018 | B. 27,956.72 |
| C. Ending Liquor Inventory as of June 30, 2018 | C. 6,398.28 |
| D. Cost of Liquor Sold for the period (Lines A + B - C) | D. 23,793.10 |

Pursuant to §3-81-17.5 et seq., the Rules of the Liquor Commission, and under the penalties set forth in §281, Hawaii Revised Statutes, I certify that this Gross Liquor Sales Report is true, accurate, and complete, and I am authorized to submit this report.

07/27/2018

Date

Signature of Officer, Member, or Authorized Agent

Katsue Ichikawa / President

Print Name/Title

OFFICE USE ONLY

Initial: JKDate: 7/30/18

For assistance, please contact HLC Auditing Team:

(808) 768-7360; (808) 768-7321; (808) 768-7350; Liq-Auditing@honolulu.gov

EXHIBIT C

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LIQUOR COMMISSION
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2017 JUL 27 P 12:36

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
711 KAPIOLANI BOULEVARD, SUITE 800, HONOLULU, HAWAII 96813-6249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/llc

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C&C OF HONOLULU

JUN 24 A 8:07

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DECLARATION OF GROSS LIQUOR SALES

RESTAURANT

FOR LATE FILING ONLY

☐ OTC BY _____

☐ PM DATE _____

[FY17 ANNUAL REPORTING]

(Pursuant to Rule 3-81-17.54(c))

REPORT DUE MONDAY, JULY 31, 2017

LICENSEE TS Hawaii LLC

LICENSE NO. R.09671

TRADE NAME Sakura Terrace

PHONE NO. (808) 591-1181

MAILING ADDRESS 1240 S. King St. Honolulu, HI 96814

NAME/TITLE OF PERSON PREPARING REPORT Katsuyoshi Kajima / Office Manager PHONE NO. (808) 389-1761

EMAIL ADDRESS (Required) kajima@sakuraterrace.com

COMPUTATION OF ADDITIONAL LICENSE FEE

| | |
|--|----------------------|
| 1. Gross Sales from JULY 1, 2016 to JUNE 30, 2017 (All sales include the State General Excise Tax assessed. Sales from Catering Events shall also be included.) | 1. <u>739,954.81</u> |
| 2. Total Food Sales | 2. <u>689,156.31</u> |
| 3. Total Other Sales (i.e. Non-Alcoholic Beverages, Merchandise Sales) | 3. <u>5,940.80</u> |
| 4. Total Liquor Sales (Line 1 minus Lines 2 and 3) | 4. <u>44,857.70</u> |
| 5. Complimentary Drinks (Reported at the value of regular sales prices) | 5. <u>0.00</u> |
| 6. GROSS LIQUOR SALES (GLS) (Add Lines 4 and 5) | 6. <u>44,857.70</u> |
| 7. Less FY17 Deductible | 7. <u>52,000.00</u> |
| 8. GLS (NET) (Line 6 minus Line 7. Enter "0", if less than "0".) | 8. <u>0.00</u> |
| 9. Assessment rate of the class of the respective license | 9. <u>0.005</u> |
| 10. ADDITIONAL LICENSE FEE DUE AND PAYABLE (Multiply Lines 8 and 9; Limited to \$25,000) | 10. <u>0.00</u> |
| 11. Please Enter the Amount of Your Payment Please make checks payable to "City & County of Honolulu" | 11. <u>0.00</u> |

COST OF LIQUOR SOLD - for substantiation of Gross Liquor Sales of license period:

| | |
|--|---------------------|
| A. Beginning Liquor Inventory as of <u>July 1, 2016</u> | A. <u>2,075.57</u> |
| B. Total of Liquor Purchases for Fiscal Year 2017 | B. <u>19,900.94</u> |
| C. Ending Liquor Inventory as of <u>June 30, 2017</u> | C. <u>2,234.66</u> |
| D. Cost of Liquor Sold (COLS) for Fiscal Year 2017 (Lines A + B - C) | D. <u>19,741.85</u> |

I declare, under the penalties set forth in Chapter 281, Hawaii Revised Statutes, that this return (form) has been examined by me and to the best of my knowledge and belief is a true, correct and complete return, made in good faith, pursuant to Chapter 281 and the Rules of the Liquor Commission of the City and County of Honolulu.

7/27/2017
Date

Katsuyoshi Kajima
Signature of Officer, Member, or Authorized Agent

OFFICE USE ONLY

Shut
Date: 7/26/17

Katsuyoshi Kajima / Director of Operations
Print Name/Title

For assistance, please contact HLC Auditor:
(808) 768-7360; (808) 768-7321; Llq-Auditing@honolulu.gov

EXP

EXHIBIT C

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: R0967

SAKURA TERRACE
1240 S. KING ST

| <u>NOTICETYPE</u> | <u>NOTICE NUMBER</u> | <u>VIOLATION DATE</u> | <u>SECTION/RULE</u> | <u>CASE NUMBER</u> | <u>DISPOSITION</u> | <u>DUE DATE</u> | <u>AMOUNT FINED</u> |
|----------------------------|--------------------------|---------------------------|------------------------------------|------------------------|--------------------|-----------------|---------------------|
| WARNING | 25093 | 03/08/2018 | 3-82-38.2 | | | | * |
| VIOLATION | 01582 | 08/01/2015 | 3-81-17.54(c) | 2015-0158 | FINED | 12/24/2015 | 100.00 * |
| COMPLAINT AND VIOLATION | 13077 22714 | 06/29/2012 06/29/2012 | 281-78(b)(1)(A) 281-78(b)(1)(A) | | | | * |
| VIOLATION | 23122 | 11/15/2010 | 3-82-38.8 | 2012-0288 2012-0472 | FINED | 01/08/2013 | 750.00 * |

Records printed: 5

EXHIBIT D

NOISE IMPACT EVALUATION

PREMISES: Sakura Terrace LIC. NO. (New)

ADDRESS: 1240 South King Street, Honolulu

DATE: 8/25/20 W/IN 500 FT. W/IN 100 FT.

TOTAL NO. OF OWNERS/LESSEES OF RECORD _____

TOTAL NO. OF CONDOMINIUMS _____

TOTAL NO. OF COOPERATIVE APT. OWNERS _____

ZONING DESCRIPTION BMX-3 (Business Mixed Use - Community)
(Residential, Commercial, etc.)

STRUCTURAL DESCRIPTION OF LICENSED PREMISES:

WALLS: HOL. TILE _____ MASONRY ☒ WOOD ☒ GLASS ☒

GYPSUM ☒ OTHER _____

APPROXIMATE PERCENTAGE OF WINDOW SPACE 35%

DOUBLE DOORS (inner & outer): YES _____ NO ☒

UNENCLOSED SECTION(S) OF PREMISES (lanai, courtyard, etc.):
Outdoor terrace located on the south and east
sides of premises. Sliding doors provide access to
outdoor terrace areas.

AIR-CONDITIONED: YES _____ NO _____

POTENTIAL OF PREMISES TO ADEQUATELY CONTAIN NOISE:

POOR _____ FAIR ☒ GOOD _____

REMARKS: Potential of premises to adequately contain noise from outdoor
terrace is poor. Also when sliding doors are left open, noise
from inside of the premises may emanate out.

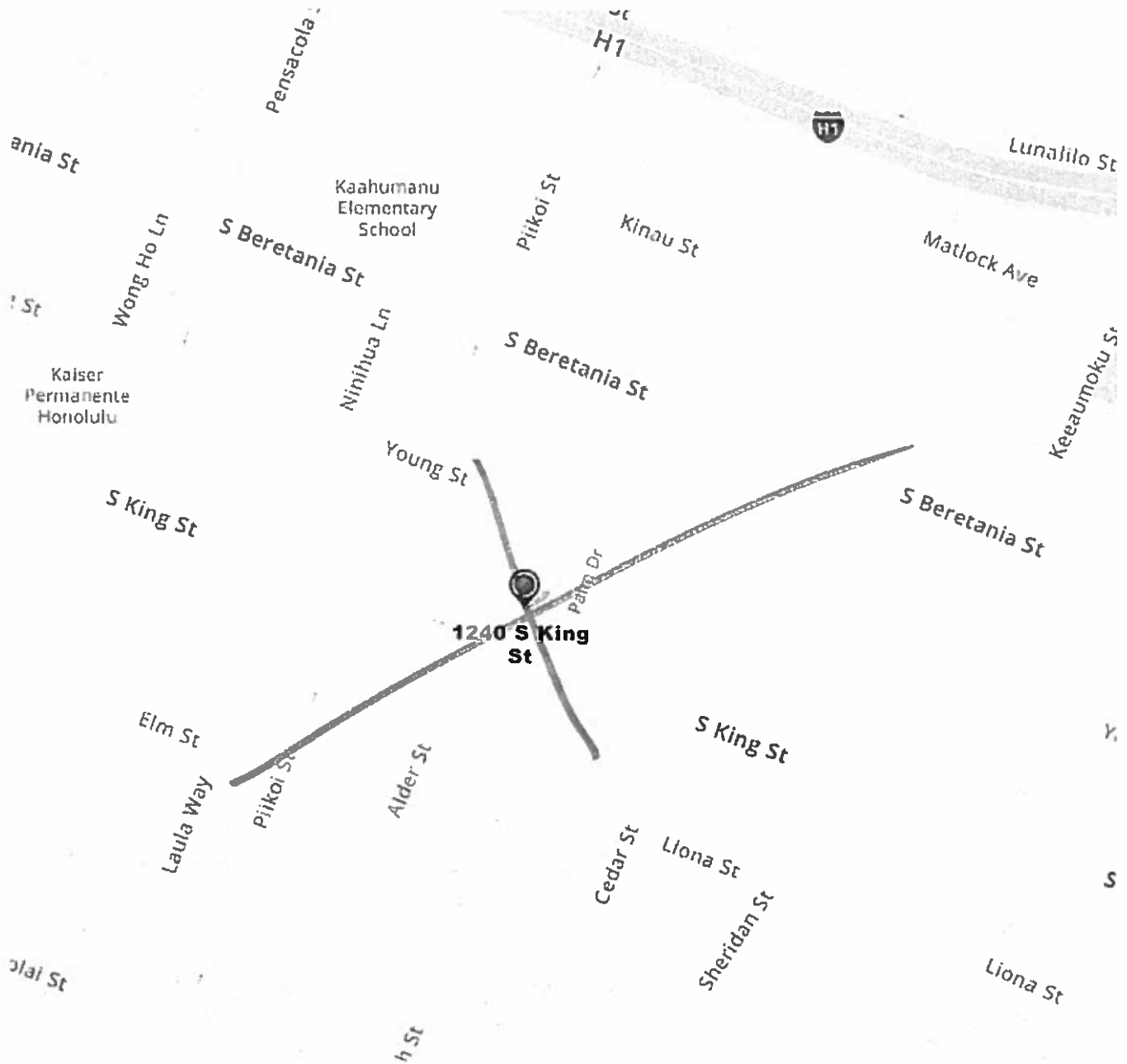

INVESTIGATOR III

{NOTE: EVALUATION IS NOT BASED ON TECHNICAL QUALIFICATIONS OF THE INVESTIGATOR, AND NO CLAIM TO THE CONTRARY IS MADE OR IMPLIED.}



1240 S King St

Honolulu | HI 96814-1918



LICENSING INVESTIGATIVE REPORT

DATE: August 24, 2020

SUBJECT: Application No. 20-21751 from Grass Shack Industries, LLC, dba Manoa Chocolate Hawaii, for a Dispenser General (Category 1 – Standard) license located at 333 Uluniu Street, Kailua

COMPANY STRUCTURE:

Grass Shack Industries, LLC: Organized under the laws of the State of Hawaii on September 28, 2010 as a member-managed limited liability company under the name “Pacific Island Chocolate, LLC”, the name of the company was changed to “Grass Shack Industries, LLC” on March 24, 2011. The members of the company are:

| | | <u>Percent</u> |
|-------------------|--------|----------------|
| Dylan Butterbaugh | Member | 90% |
| Robert Fitzgerald | Member | <u>10%</u> |
| | | 100% |

See **Exhibit A1** and **A2** for biographical background information on the principals. Criminal History Clearance forms have been received.

According to Notification of Authorized Agent, signed July 13, 2020, Dylan Butterbaugh, Member of Grass Shack Industries, LLC, authorizes Tiffany Armstrong to serve as an authorized agent before the Liquor Commission on behalf of the Applicant.

FINGERPRINTS:

Dylan Butterbaugh and Robert Fitzgerald must be fingerprinted by Fieldprint.

Federal Bureau of Investigation fingerprint results are pending.

FINANCIAL STATEMENT OF GRASS SHACK INDUSTRIES, LLC, AS OF MAY 31, 2020:

Financial Statement of the Applicant, dated July 10, 2020, was submitted to the Commission and certified by the Applicant to be substantially correct, as of May 31, 2020.

COST AND FINANCING:

The business is already an established chocolate factory and tasting bar. The Applicant estimates the total cost to add liquor service (obtaining liquor license and inventory) will be approximately \$8,000.

TRADE NAME:

According to a Certificate of Registration of Trade Name from the State of Hawaii Department of Commerce and Consumer Affairs, dated May 8, 2017, Grass Shack Industries, LLC has secured the use of the trade name "Manoa Chocolate Hawaii" for five (5) years from September 19, 2017 to September 18, 2022.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed licensed premises is located at 333 Uluniu Street, Kailua.

Details of premises

- Approximately 3,140 sq. ft.
- Basically rectangle in shape, approximately 40 feet by 80 feet
- Customer area, manufacture/work area, kitchen, and restrooms

See **Exhibit B**

Parking: There is parking available in a municipal parking lot in the front of the building. There is also metered street parking in the surrounding area.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

Kailua Elementary School located at 315 Kuulei Road approximately 435 feet southeast of the proposed premises.

SAME CLASS OF LICENSE WITHIN 500 FEET OF PREMISES:

Hauole Hoia, Inc.
Dbas Porky's Sports Pub & Grill (E0675)
32 Maluniu Avenue
335 feet west of the premises

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of September 24, 2020, there are 222 dispenser licenses issued within the City and County of Honolulu, of which 216 are of the dispenser general kind.

OTHER MATTERS PERTAINING TO THE APPLICATION THAT MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of business: The Applicant currently operates a chocolate factory and tasting room from 10:00 a.m. to 5:00 p.m., Monday through Saturday. The Applicant will be adding liquor service, with a focus on natural wine and chocolate pairings from 4:00 p.m. to 8:30 p.m. (tentative). Dylan Butterbaugh will manage the business with approximately 2 employees.

Sublease: According to an executed Sublease, dated July 1 (no year), and signed April 29, 2020, Michael Francis Cunningham dba Shamrock Properties (Lessor) leases to Grass Shack Industries, LLC (Lessee) a portion of a building, designated as Suite #501, located at 333 Uluniu Street, Kailua.

Term: Period of five (5) commencing on October 1, 2019, and terminating on September 30, 2024.

Option: Option to extend for an additional five (5) years.

ZONING CLEARANCE:

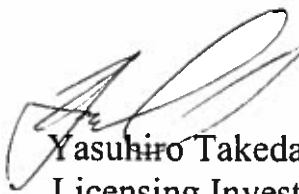
The applicant has submitted a valid Zoning Clearance issued by the Department of Planning and Permitting, dated May 19, 2020.

HAWAII REVISED STATUTES SECTION 281-56(a)(9) STATEMENT:


As of September 24, 2020, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.


OPINION:

In my opinion, the applicant has met the statutory requirements.


Yasuhiro Takeda
Licensing Investigator

Reviewed by:


Daniel Sato
Supervising Licensing Investigator



RECEIVED
LIQUOR COMMISSION
C & C OF HONOLULU

2020 JUN -1 P 2:08

Rule 3-83-53.1

EMPLOYMENT RECORD (from the time school was completed to present):

(If additional space is needed, please use reverse side)

~~EXHIBIT A~~

Our experience in the liquor industry:

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☐ Full time, or ☒ Part-time?

1. Dylan Butterbaugh, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have/ ☒ have not) been convicted of any felony charge.

[Signature]

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On the 11th day of February in the year of 2020 personally appeared Dylan Aka Butterbaugh
known to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the aforementioned instrument the person or the entity upon behalf of which the person(s) acted executed the
aforementioned instrument in free act and deed.

[Signature]
Signature of applicant(s) before Notary

Subscribed and sworn to before me this

11th day of February, 2020

[Signature]
Signature of Notary
Notary Name: Jill Marie Butterbaugh

Notary Public, State of Hawaii

My commission expires June 25, 2020



NOTARY CERTIFICATION

Date of Doc February 11, 2020 # of Pages 2

Notary Name Jill Marie Butterbaugh 1st Circuit

Doc Description Personal History and Affidavit

[Signature]
Notary Signature

February 11, 2020



PERSONAL HISTORY AND AFFIDAVIT

List your experience in the liquor industry: _____

Will you devote time to manage the subject business? ☐ Yes ☒ No

If answer is "YES", will it be ☐ Full time, or ☐ Part-time?

I, Robert Fitzgerald, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.



FOR NOTARY USE ONLY

STATE OF HAWAII }
City and County of Honolulu } SS

On this 14th day of February in the year of 2020 personally appeared Robert James Fitzgerald
who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the aforementioned instrument the person or the entity upon behalf of which the person(s) acted executed the
aforementioned instrument in free act and deed

Robert James Fitzgerald
Signature of applicant(s) before Notary
Subscribed and sworn to before me this
14th day of February, 2020
Jill Marie Butterbaugh
Signature of Notary
Print Name: Jill Marie Butterbaugh
Notary Public, State of Hawaii
My commission expires June 25, 2020
My commission expires _____
(Place Notary Seal here)

NOTARY CERTIFICATION
Date of Doc: Feb 11, 2020 # of Pages 2
Notary Name Jill Marie Butterbaugh, 1st Circuit
Doc. Description Personal History and Affidavit
Jill Marie Butterbaugh
Notary Signature
Feb 11, 2020
(Place Notary Seal here)



Doc. Date: Feb. 11, 2020 # Pages: 2
Name: Jill Marie Butterbaugh First Circuit
Doc. Description: Personal History and Affidavit
Jill Marie Butterbaugh
Signature
Date Feb 11, 2020



333 Uluniu St

Kailua | HI 96734-2516



LICENSING INVESTIGATIVE REPORT

DATE: October 1, 2020

SUBJECT: New Liquor License application No. 20-21849 from The Cherry Company, Ltd. dba The Cherry Company, Ltd. for a Retail General Liquor License at the current location of The Cherry Company, Ltd. dba The Cherry Company, Ltd., Wholesale General license located at 3375 Koapaka St., Suite A185. Honolulu Hi 96819

NOTIFICATION OF AUTHORIZED AGENT:

In form LIQ-LIC-106, Notification of Authorized Agent, dated January 21, 2020, and received by the commission June 15, 2020, The Cherry Company, Ltd. authorizes Neal Gota to represent them in all liquor related matters.

BACKGROUND:

The applicant currently possesses a Wholesale General license and is applying for a Retail General license within the section of the current licensed premises. The location of the retail license will be permanently deleted in conjunction with the permanent deletion of licensed area application No. # 20-21838.

CORPORATE STRUCTURE:

The Cherry Company, Ltd.: Incorporated under the laws of the State of Hawaii on March 30, 1948 as a corporation with authorization to issue 105,000 shares of common stock.

The Officers, Directors, and Shareholders are:

| | | <u>Shares</u> | <u>Percent</u> |
|---------------------------------|-----------|---------------|----------------|
| Hamamoto, Takeshi | D | 0 | 0% |
| Kanai, Atsuko | D | 0 | 0% |
| Kishii, Takateru | VP/S/T/D | 0 | 0% |
| Ohata, Masatoshi | P/CEO/D | 0 | 0% |
| Kirin Holding Co., Ltd. | SH | 25,000 | 23.81% |
| <u>Mutual Trading Co., Inc.</u> | <u>SH</u> | <u>80,000</u> | <u>76.19%</u> |
| | Total | 105,000 | 100% |

CORPORATE STRUCTURE-CONTINUED:

Mutual Trading Co., Inc.: Incorporated under the laws of the State of California on April 19, 1926 as a corporation with initial authorization to issue 1,000,000 shares of common stock.

The Officers, Directors, and Shareholders are:

| | | <u>Shares</u> | <u>Percent</u> |
|-------------------------------|--------------|----------------|----------------|
| Yamamoto, Kosei | Chair/D | 0 | 0% |
| Ohata, Masatoshi | P/CEO/D | 0 | 0% |
| Kanai, Atsuko | ExVP/D | 0 | 0% |
| Fujikawa, Masamitsu | VP/CFO/S/T/D | 0 | 0% |
| Omiya, Hisashi | D | 0 | 0% |
| Sakata, Yoshihiro | D | 0 | 0% |
| Kimura, Mutsumi | D | 0 | 0% |
| Norihisa, Fujikawa | D | 0 | 0% |
| Inaba, Harley | D | 0 | 0% |
| Lee, Min Soo | VP | 0 | 0% |
| Hamamoto, Takeshi | VP | 0 | 0% |
| Various Shareholders | SH | 246,000 | 24.6% |
| Kanai Family | SH | 149,000 | 14.9% |
| Hoshizaki Family | SH | 101,000 | 10.1% |
| Inaba Family | SH | 50,000 | 5.0% |
| <u>Takara Shuzo Co., Ltd.</u> | <u>SH</u> | <u>454,000</u> | <u>45.4%</u> |
| Total | | 1,000,000 | 100% |

See **Exhibit A** for biographical information for the principals. HCJDC Criminal checks are pending. CJIS Computer System checks are negative for felony convictions.

FINGERPRINTS:

Masatoshi Ohata, Atsuko Kanai, and Takeshi Hamamoto submitted a Hawaii Criminal History Clearance fingerprint cards on June 15, 2020, to be forwarded to the Hawaii Criminal Justice Data Center.

Takateru Kishii will be referred to "Fieldprint" to schedule their fingerprinting.

FINANCIAL STATEMENT OF THE CHERRY COMPANY LTD. AS OF
NOVEMBER 30, 2019:

Applicant submitted a Financial Statement dated January 23, 2020, and received by the Commission June 15, 2020 and certified by the applicant to be substantially correct.

COST AND FINANCING:

The licensee currently operates a wholesale license which is currently in operation under a separate license. There will be no cost associated with the new license being affected for this location.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed premises is located at 3375 Koapaka St., Suite A185, Honolulu.

- 132 total square footage
- Located within the The Cherry Company Ltd. Wholesale premises – within the show room.
- Positioned within wholesale owned and operated by the same licensee.

See **Exhibit B** for floor plan.

Parking: Parking stalls available in the lot and street parking is available.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

None

SAME CLASS OF LICENSE WITHIN 500 FEET:

None

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND
COUNTY OF HONOLULU:

As of September 28, 2020, there are 525 Retail licenses issued within the City and County of Honolulu, of which 493 are of the General kind.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of business:

- Retail
- 5 Registered employees / 2 registered Managers
- Hours of Operation: 8:00am to 5:00pm (Closed Sunday)

Lease: Modified lease between AIPA Properties, L.L.C. (Landlord), The Cherry Company, Ltd. (Tenant). Fifteen (15) year Lease from May 10, 2016 to August 31, 2031.

Existing License: Under the current lease agreement between AIPA Properties, L.L.C. (Landlord) and The Cherry Company, Ltd., retail operations are prohibited according to item No. 6 "Use: The Premises shall be used only for the purpose stated in paragraph A.1.j. **Retail sales of any kind on the premises**, outside storage (as contrasted with temporary parking), including, without limitation, storage of trucks and other vehicles not frequently used in Tenant's business, **is prohibited without Owner's prior written consent.**"

Landlord Consent: According to the "Landlord Authorization For Sale and Service of Liquor" LIQ-LIC-142 form, dated February 27, 2020 and received by the Commission June 15, 2020, AIPA Properties, L.L.C. (Landlord) Authorizes The Cherry Company to apply for a Retail Liquor License.

The premises will located next to a wholesale license, owned and operated by the same licensee. Enclosed space, separate storage, POS systems, and employee supervision are measures to be taken to ensure separation of licensee's retail business from the licensee's wholesale business.

OTHER LIQUOR LICENSED INTERESTS:

The Cherry Company, Ltd. dba The Cherry Company, Ltd.,
Wholesale General license (C0009)
3375 Koapaka St., Suite A185, Honolulu Hi 96819

OTHER LIQUOR LICENSED INTERESTS CONCERNS:

Hawaii Revised Statutes: §281-42 Manufacturers and wholesale dealers, special restrictions.

(a) It shall be unlawful for any person holding a manufacturer's license or a wholesale dealer's license to induce the purchases of a retail licensee by:

- (1) Acquiring or holding any interest in any license of a retail licensee;
- (2) Acquiring any interest in the real or personal property owned, occupied, or used by a retail licensee in the conduct of its business, unless the holding of such interest is permitted under the regulations of the liquor commission or statement thereof has been filed with the commission and has not been disapproved by it;
- (3) Furnishing, giving, renting, lending, or selling to a retail licensee any equipment, fixtures, signs, supplies, money, services or other thing of value, subject to the exceptions contained in Subpart D of the "tied house" regulations of the Bureau of Alcohol, Tobacco and Firearms of the United States Treasury Department, 27 Code of Federal Regulations Part 6 (1988) as the same may change from time to time;

Federal Alcohol Act TBB: §8.11 Meaning of terms.

Industry member. Any person engaged in business as a distiller, brewer, rectifier, blender, or other producer, or as an importer or **wholesaler**, of distilled spirits, wine or malt beverages, or as a bottler, or warehouseman and bottler, of distilled spirits; industry member does not include an agency of a State or political subdivision thereof, or an officer or employee of such agency.

Federal Alcohol Act TBB: §8.21 General

It is unlawful for an industry member to require, by agreement or otherwise, that any retailer purchase distilled spirits, wine, or malt beverages from the industry member to the exclusion, in whole or in part, of products sold or offered for sale by other persons in interstate or foreign commerce. This prohibition includes purchases coerced by industry members, through acts or threats of physical or economic harm, as well as voluntary industry member-retailer purchase agreements.

According to Seiji Sugiyama, Senior Purchasing Manager for The Cherry Company, Ltd., the applicant will solely purchase older product from the wholesale company (industry member) that is undesirable or unsaleable by other retailers.

OTHER LIQUOR LICENSED INTERESTS CONCERNS:

Federal Alcohol Act TBB: §8.54 Criteria for determining retailer independence.

The criteria specified in this section are indications that a particular practice, other than those in §§8.52 and 8.53, places retailer independence at risk. A practice need not meet all of the criteria specified in this section in order to place retailer independence at risk.

(a) The practice restricts or hampers the free economic choice of a retailer to decide which products to purchase or the quantity in which to purchase them for sale to consumers.

There is potential to restrict the sale of product from the wholesale company to only the applicant, and deny that product to other competitive retailers, negatively impacting free economic commerce.

(c) The retailer has a continuing obligation to purchase or otherwise promote the industry member's product.

According to Seiji Sugiyama, Senior Purchasing Manager for “The Cherry Company, Ltd.” (Industry member), the applicant will solely purchase older product from the industry member and no other source.

(e) The practice involves the industry member in the day-to-day operations of the retailer. For example, the industry member controls the retailer's decisions on which brand of products to purchase, the pricing of products, or the manner in which the products will be displayed on the retailer's premises.

HISTORY OF VIOLATION FOR OTHER LIQUOR LICENSED INTEREST DURING THE PERIOD OWNER OR OPERATED BY THE PRINCIPALS:

The Cherry Company, Ltd. dba The Cherry Company, Ltd. (C0009)
Wholesale General – Active
3375 Koapaka St., Suite A185, Honolulu

8/16/11 3-82-41.2(b) Transfer of Corp stock Fined

ZONING CLEARANCE:


An approved Department of Planning and Permitting zoning clearance dated January 23, 2020, has been received.

HAWAII REVISED STATUTES SECTION 281-56(a) (9) STATEMENT:


As of October 1, 2020, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

OPINION:

In my opinion, it is unclear if the applicant has complied with the minimum requirements of filing this application.


Matthew Foster
Licensing Investigator

Reviewed by:


Daniel Sato
Supervising Investigator

rd/2020
ah

PERSONAL HISTORY AND AFFIDAVIT 2020 JUN 15 P 1:09
Rule 3-83-53.1

NAME KISHII TAKATERU N/A N/A SOCIAL SECURITY NO. _____
Last, First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
HOME (____) _____
CITY _____ STATE _____ ZIP CODE _____ BUS. 808, 422-6555
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
(City, State) (MM / DD / YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 3 YEAR COMPLETED 1960 NAME OF SCHOOL GAKUSHUIN, TOKYO, JAPAN
(include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 4 YEAR COMPLETED 1964 NAME OF COLLEGE GAKUSHUIN, TOKYO, JAPAN
(include City and State)
OTHER EDUCATION N/A

CITIZENSHIP* Japan DATE ARRIVED IN HAWAII (if applicable) 2004
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

| FROM MONTH/YEAR | TO MONTH/YEAR | POSITION | EMPLOYER | LOCATION |
|-----------------|---------------|-----------------|--------------------------|---------------------------|
| 04/1964 | 06/1980 | Manager | Toshoku, Ltd. | Tokyo, Japan |
| 06/1980 | 05/1986 | Asst Manager | Toshoku, Ltd. | Hamburg, Germany |
| 05/1986 | 06/1988 | Asst Manager | Toshoku, Ltd. | Milano, Italy |
| 06/1988 | 05/1995 | General Manager | Toshoku, Ltd. | Tokyo, Japan |
| 05/1995 | 05/2001 | General Manager | Toshoku, Ltd. | San Francisco, California |
| 06/2001 | 05/2003 | General Manager | Toshoku, Ltd. | Los Angeles, California |
| 05/2003 | 06/2004 | General Manager | Toshoku, Ltd. | Tokyo, Japan |
| 07/2004 | Present | VP/S/T/GM/D | The Cherry Company, Ltd. | Honolulu, Hawaii |

(If additional space is needed, please use reverse side)

List your experience in the liquor industry: General Manager and officer of company that operates a wholesale liquor business in Honolulu.

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2020 JUN 15 P 1:09

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, Takateru Kishii, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

Takateru Kishii

Signature

F
F
F
/



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu } SS.

On this 3rd day of December, in the year of 2019, personally appeared Takateru Kishii who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Takateru Kishii
Signature of applicant(s) before Notary

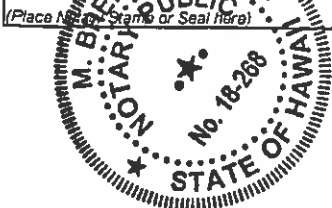
Subscribed and sworn to before me this:

3rd day of December, 2019

M. Brenner
Signature of Notary

Print Name: M. Brenner
Notary Public, State of Hawaii

My Commission expires 05/20/2022



NOTARY CERTIFICATION

Date of Doc: Undated # of Pages: 2

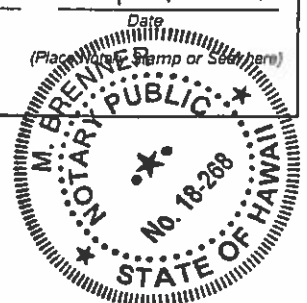
Notary Name: M. Brenner First Circuit

Doc. Description: Personal History and Affidavit

M. Brenner
Notary Signature

Date: 12/3/2019

(Place Notary Stamp or Seal here)



LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2020 JUN 15 P 1:07

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

NAME HAMAMOTO TAKESHI N/A N/A SOCIAL SECURITY NO. _____
Last, First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
CITY _____ STATE _____ ZIP CODE _____ HOME () _____
BUS. 213 , 626-9458
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
(City, State) (MM / DD / YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 6 YEAR COMPLETED 1968 NAME OF SCHOOL AGENOSHO HIGH SCHOOL, AGENOSHO, OSHIMA, YAMAGUCHI
(Include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 5 YEAR COMPLETED 1986 NAME OF COLLEGE CAL STATE UNIVERSITY, LOS ANGELES, CA
(Include City and State)
OTHER EDUCATION N/A

CITIZENSHIP* Japan (USCIS #036-0697-524) DATE ARRIVED IN HAWAII (If applicable) N/A
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

| FROM MONTH/YEAR | TO MONTH/YEAR | POSITION | EMPLOYER | LOCATION |
|-----------------|---------------|----------------------|--------------------------|-----------------|
| 1969 | 1971 | Sales Engineer | Takaoka Co., Inc. | Nagoya, Japan |
| 1971 | 07/1975 | Electrician | Hamamoto Electric | Osaka, Japan |
| 09/1975 | 03/1976 | Liquor Store Clerk | E. 10th St. Market | Los Angeles, CA |
| 04/1976 | 1979 | Warehouse Supervisor | American Kai | El Monte, CA |
| 1979 | 08/1983 | Fish Dept. Manager | Safe & Save Market | W.L.A., CA |
| 08/1983 | Current | Warehouse V.P. | Mutual Trading Co., Inc. | Los Angeles, CA |
| | Current | Director | The Cherry Company, Ltd. | Honolulu, HI |

(If additional space is needed, please use reverse side)

NOTARY INITIAL: VS

List your experience in the liquor industry: I am a director of a company that operates a wholesale liquor license in Honolulu.

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2020 JUN 15 P 1:09

Will you devote time to manage the subject business? ☐ Yes ☒ No

If answer is "YES", will it be ☐ Full time, or ☐ Part-time?

I, Takeshi Hamamoto

, of

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

Takeshi Hamamoto
Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 4th day of December in the year of 19, personally appeared Takeshi Hamamoto who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Takeshi Hamamoto
Signature of applicant(s) before Notary
Subscribed and sworn to before me this:
4th day of December, 2019
Vanessa Marie Quereda
Signature of Notary
Print Name: Vanessa Marie Quereda
Notary Public, State of Hawaii
My commission expires 8/17/20
(Place Notary Stamp or Seal here)

NOTARY CERTIFICATION
Date of Doc: Personal History # of Pages: 111 & 112
Notary Name: Vanessa Marie Quereda Circuit
Doc. Description: Personal History and Affidavit
Vanessa Marie Quereda 12/4/19
Notary Signature Date
(Place Notary Stamp or Seal here)

See attached Just

2020 JUN 15 P 1:02

List your experience in the liquor industry: I am a Director of a company that operates a wholesale liquor license in Honolulu.

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LIQUOR COMMISSION
C&C OF HONOLULU

2020 JUN 15 P 1:02

Will you devote time to manage the subject business? ☐ Yes ☒ No

If answer is "YES", will it be ☐ Full time, or ☐ Part-time?

I, ATSUKO KANAI

, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

Atsuko Kanai



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STATE OF HAWAII
City and County of Honolulu

} SS.

On this 4th day of December the year of 2019, personally appeared Atsuko Kanai who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/it executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person acted, executed the aforementioned instrument in free act and deed.

Atsuko Kanai
Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

4th day of December, 2019

Vanessa Marie Overduin
Signature of Notary

Print Name: Vanessa Marie Overduin
Notary Public, State of Hawaii

My commission expires 8/17/2020

(Place Notary Stamp or Seal here)

NOTARY CERTIFICATION

1114

Date of Doc: 12/4/19

of Pages: 112

Notary Name: Vanessa Marie Overduin Circuit

Doc. Description: Personal history and affidavit.

Vanessa Marie Overduin 12/4/19
Notary Signature Date

(Place Notary Stamp or Seal here)

See attached Just

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5248
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/llc

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2020 JUN 15 P 1:09

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

NAME OHATA MASATOSHI N/A N/A SOCIAL SECURITY NO. _____
Last, First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
HOME (_____) _____
CITY I STATE _____ ZIP CODE _____ BUS. 213 , 626-9458
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
(City, State) (MM / DD / YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 3 YEAR COMPLETED 1988 NAME OF SCHOOL KASHIHARA HIGH SCHOOL, NARA, JAPAN
(include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 4 YEAR COMPLETED 1992 NAME OF COLLEGE OSAKA PREFECTURE UNIVERSITY, OSAKA, JAPAN
(include City and State)
OTHER EDUCATION N/A

CITIZENSHIP* JAPAN (E-2 VISA) DATE ARRIVED IN HAWAII (if applicable) N/A
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

| FROM MONTH/YEAR | TO MONTH/YEAR | POSITION | EMPLOYER | LOCATION |
|-----------------|---------------|--------------------|--------------------------|-----------------|
| 04/1992 | 03/2000 | Accountant | Takara Shuzo Co., Ltd. | Kyoto, Japan |
| 04/2000 | 03/2008 | General Manager | Takara Sake USA Inc. | Berkley, CA |
| 04/2008 | 03/2016 | Dputy General Mgr. | Takara Shuzo Co., Ltd. | Kyoto, Japan |
| 04/2016 | 03/2017 | President/CEO | Takara Sake USA Inc. | Berkley, CA |
| 04/2017 | Current | President/CEO | Mutual Trading Co., Inc. | Los Angeles, CA |
| | Current | CEO/P/D | The Cherry Company, Ltd. | Honolulu, HI |

(If additional space is needed, please use reverse side)

List your experience in the liquor industry: From 1992 to current, I've been working for liquor company as a manager, also CEO and officer of a company with a wholesale liquor license in Honolulu.

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NOTARY COMMISSION
C&C OF HONOLULU

2020 JUN 15 P 1:09

Will you devote time to manage the subject business? ☐ Yes ☒ No

If answer is "YES", will it be ☐ Full time, or ☐ Part-time?

I, Masatoshi Ohata

, of

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

M. Ohata

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 4th day of December in the year of 19, personally appeared Masatoshi Ohata who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

M. Ohata
Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

4th day of December, 2019

Vanessa Marie Quezada
Signature of Notary
Print Name: Vanessa Marie Quezada
Notary Public, State of Hawaii

My commission expires 8/12/20

(Place Notary Stamp or Seal here)

NOTARY CERTIFICATION

Date of Doc: 12/4/19 # of Pages: 111 & 112

Notary Name: Vanessa Marie Quezada Circuit

Doc. Description: Personal history and affidavit

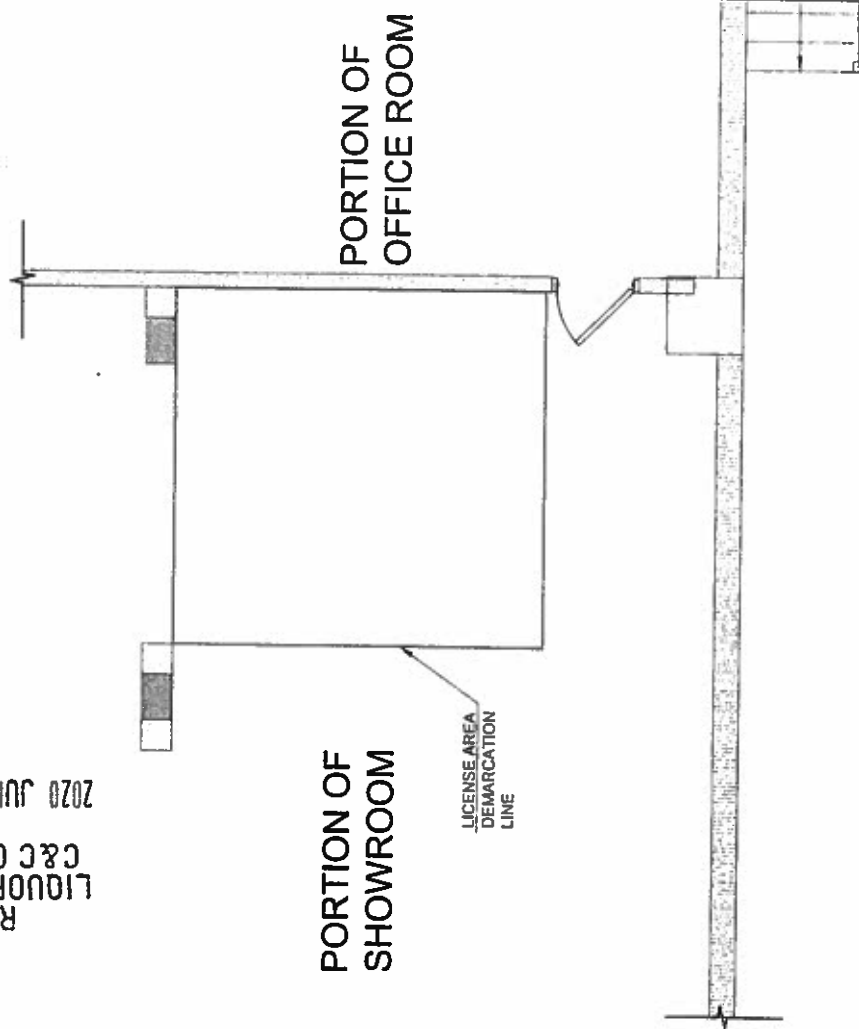
Vanessa Marie Quezada
Notary Signature
12/4/19
Date

(Place Notary Stamp or Seal here)

See attached Jurat

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2020 JUN 15 P 1:10

4' 2' 0' 4'
SCALE: 1/4" = 1'-0"



FLOOR PLAN

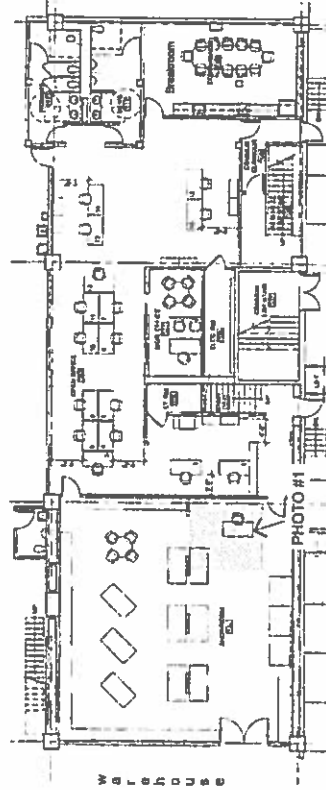
Scale: 1/4" = 1'-0"



PHOTO #1

NOTE: LICENSE AREA UNDER CONSTRUCTION

Warehouse



Main Entrance

SITE PLAN (WAREHOUSE)

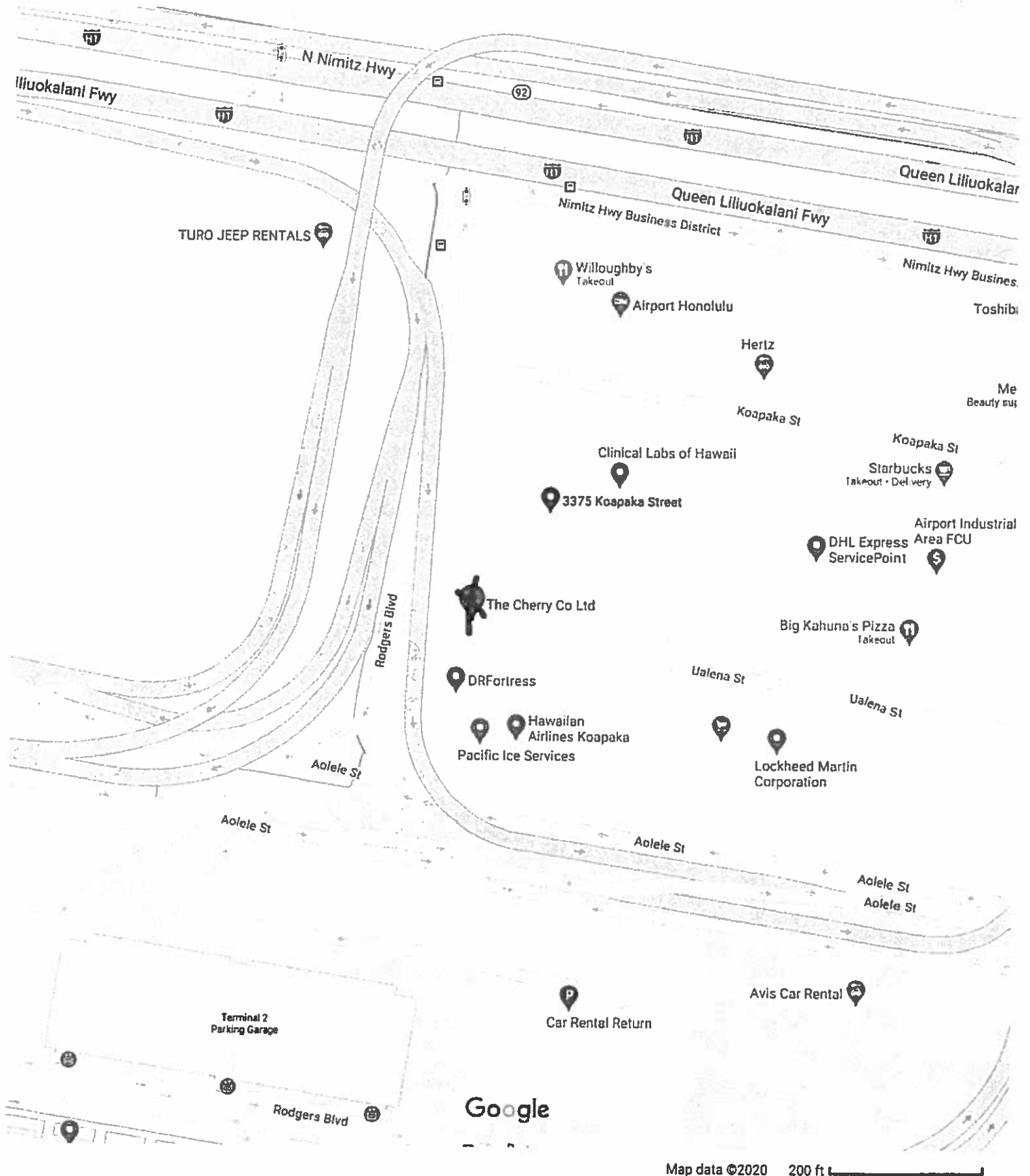
Scale: NOT TO SCALE

LEGEND
→ PHOTO DIRECTION TAKEN
LICENSE AREA

Cherry Company (Retail)
3375 Koopaka Street, Su
Honolulu, Hawaii 96819
TMK: 1-1-015:013
85 (Portion)

Date
Scale: AS SHOWN
Drawn: J.L.
Sheet No. 1 of 1
SK-1
Drawn

The Cherry Co Ltd



LICENSING INVESTIGATIVE REPORT

DATE: October 2, 2020

SUBJECT: New Application No. 20-21922 from Makaha Mini Mart LLC dba Makaha Ohana Market, Retail General license at the former location of S.M.R.C. Corporation, dba Makaha Ohana Market, at 84-1170 Farrington Highway A2, Waianae

COMPANY STRUCTURE:

MAKAHA MINI MART LLC: organized under the laws of the State of Hawaii on July 2, 2019, as a member-managed limited liability company.

The members are:

| | | Interest |
|---------------|--------|------------|
| James Smalley | Member | 50% |
| Farrah Nelson | Member | 50% |
| | | Total 100% |

For further details of the principals see **Exhibits A1-A2**. CJIS Computer checks were negative for any felonies, FBI checks are pending fingerprinting.

FINGERPRINTS:

James Smalley was fingerprinted on July 1, 2020, and Farrah Nelson was fingerprinted on June 30, 2020, by a third party company. FBI/H CJDC results for both individuals were negative for any felony convictions.

FINANCIAL STATEMENT OF MAKAHA MINI MART LLC AS OF JULY 18, 2019:

Financial Statement dated August 20, 2019, was submitted to the Commission and certified by the applicant to be substantially correct, as of July 18, 2019.

COST AND FINANCING:

The applicant had purchased the business as stated, by Transfer Application 20-20351 Makaha Mini Mart LLC, and is currently in operation.

STAND-ALONE TEMPORARY APPLICATION FILED:

The applicant filed a Stand-Alone Temporary Application #20-21921 for a Stand-Alone Temporary Retail License on June 25, 2020.

TRANSFER APPLICATION:

On July 9, 2020, Transfer application 20-20351, was heard by the Commission at its public hearing. The transfer application 20-20351 was taken under advisement by the Commission.

The previous licensee, S.M.R.C. Corporation dba Makaha Mini Mart, did not renew its license for fiscal year 2021, causing the license to terminate on June 30, 2020, at midnight.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed premises is located at 84-1170 Farrington Highway #A2, Waianae.

- The interior size of the retail is approximately 29 feet by 65 feet (overall). Approximately 1,935 square feet.
- Walk-in cooler, approximately 27 feet by 10 feet.
- Cooler storage, approximately 12 feet by 6 feet.
- Storage room, approximately 4 feet by 6 feet.
- Office/Storage area, approximately 20 feet by 11 feet.
- Restroom located in the back of the premises.

See **EXHIBIT B** for floor plan.

Parking: There is a parking lot located in front of the premises.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

Waianae Assembly of God
84-123 Makaha Valley Road, Waianae
Approximately 150 feet from proposed premises.

SAME CLASS OF LICENSE WITHIN 500 FEET:

Seven-Eleven Hawaii, Inc., (D0371)
dba 7-Eleven Stores No. 54128
85-010 Farrington Highway
Approximately 200 feet from the proposed premises.

Longs Drug Stores California, L.L.C. (D1258)
dba Longs Drugs #10988
84-1160 Farrington Highway
Approximately 30 feet from the proposed premises.

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of October 2, 2020, there are 525 Retail licenses issued within the City and County of Honolulu, of which 493 are of the General kind.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of business:

- Applicant currently operates as a retail store.
- Hours of Operation 7 am to 7 pm, Sunday to Wednesday, 7 am to 10pm, Thursday to Saturday
- Approximately 7 Employees. 2 Managers.

Lease Agreement: According to a document titled, "Lease Agreement (As Amended on January 28, 2020)", Team Real Estate, Inc., agent for Colenet LLC (Landlord) and Makaha Mini Mart LLC (Tenant), signed 2/1/20, the leased premises described as 84-1170 Farrington Highway, Waianae, HI, 96792, Makaha Marketplace BE.

The rentable floor area indicates 2,254 sq. ft. The extended term is from February 1, 2020, to January 31, 2025.

ZONING CLEARANCE:

A valid Department of Planning and Permitting zoning clearance dated August 26, 2019, has been received.

HAWAII REVISED STATUTES SECTION 281-56(a) (9) STATEMENT:

As of October 2, 2020, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.

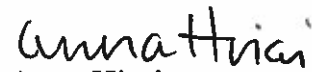
OPINION:

The applicant has met statutory requirements of filing this application.



Daniel Sato
Supervising Investigator

Reviewed by:



Anna Hirai
Assistant Administrator

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5243
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

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PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

19 AUG 20 A 11:52

NAME SMALLEY JAMES ANTHONY SOCIAL SECURITY NO. 6
Last First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NO. _____
CITY _____ STATE HI ZIP CODE _____ HOME _____
PLACE OF BIRTH CA DATE OF BIRTH 1 AGE _____ MARITAL STATUS SINGLE
(City, State) (MM/DD/YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 1987 NAME OF SCHOOL SERVITE HIGH ANAHEIM, CA
(Include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 6 YEAR COMPLETED 1993 NAME OF COLLEGE HAWAII PACIFIC UNIV. HBN, HI
(Include City and State)
OTHER EDUCATION _____

CITIZENSHIP* U.S. DATE ARRIVED IN HAWAII (if applicable) 08/1989
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

| FROM MONTH/YEAR | TO MONTH/YEAR | POSITION | EMPLOYER | LOCATION |
|-----------------|---------------|--------------|---|--------------|
| 03/1992 | 10/2005 | AUDITOR | STATE OF HAWAII - OFFICE OF THE AUDITOR | Honolulu, HI |
| 11/2005 | 11/2006 | LOAN OFFICER | MORTGAGE PLUS | Honolulu, HI |
| 11/2006 | 05/2016 | LOAN OFFICER | HARBOR FINANCIAL GROUP | Honolulu, HI |
| 06/2016 | PRESENT | LOAN OFFICER | C2 FINANCIAL CORP. | Honolulu, HI |
| 11/2012 | PRESENT | OWNER | LEI'S FASHION | MAKAHA, HI |
| 07/2019 | PRESENT | OWNER | MAKAHA MINI MART | MAKAHA, HI |

(If additional space is needed, please use reverse side)

List your experience in the liquor industry:

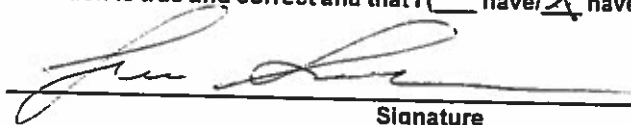
Will you devote time to manage the subject business? ☒ Yes ☐ No

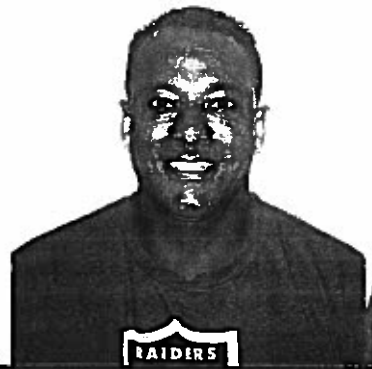
If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, JAMES A. SMALLEY, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have/ ☒ have not) been convicted of any felony charge.


Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 13th day of August, in the year of 2019, personally appeared James Anthony Smalley who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.


Signature of applicant(s) before Notary

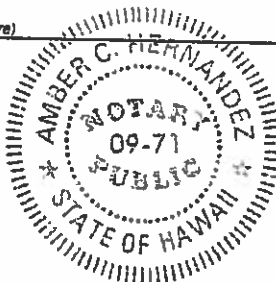
Subscribed and sworn to before me this:

13th day of August, 2019

Print Name: AMBER C. HERNANDEZ
Notary Public, State of Hawaii

My commission expires MAR 15 2021

(Place Notary Stamp or Seal here)

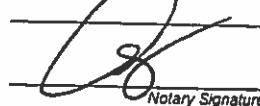


NOTARY CERTIFICATION

Date of Doc: UNDATED # of Pages: 2

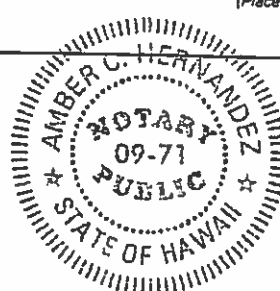
Notary Name: AMBER C. HERNANDEZ 151 Circuit

Doc. Description: Personal History and Affidavit


Notary Signature

08/13/2019
Date

(Place Notary Stamp or Seal here)



LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

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LIQUOR COMMISSION
C&C OF HONOLULU

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

2019 AUG 20 A 11:52

NAME NELSON, FARRAH AGUSTA PUANANI SOCIAL SECURITY NO. _____
Last, First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS. _____
CITY _____ STATE _____ ZIP CODE _____ BUS. _____
PLACE BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS SINGLE
(City, State) (MM / DD / YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 3 YEAR COMPLETED 1997 NAME OF SCHOOL WAIPAHU COMMUNITY SCHOOL WAIPAHU, HI
(Include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 4 YEAR COMPLETED 2009 NAME OF COLLEGE UNIVERSITY OF PHOENIX HONOLULU, HI
(Include City and State)

OTHER EDUCATION _____

CITIZENSHIP* USA

DATE ARRIVED IN
HAWAII (if applicable) 9/13/1978

*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

| FROM MONTH/YEAR | TO MONTH/YEAR | POSITION | EMPLOYER | LOCATION |
|--------------------|------------------|-------------------------|----------------------|------------------|
| 12/2013 - CURRENT | | SUBCONTRACTS MANAGER | BAE HAWAII SHIPYARD | PEARL HARBOR, HI |
| 05/2013 - 12/2013 | | SUBCONTRACTS ADMIN | REMEDY STAFFING | PEARL HARBOR, HI |
| 09/2012 - CURRENT | | OWNER/OPERATOR | LEI'S FASHION LLC | MAKAHA, HI |
| 10/2011 - 05/2013 | | EXECUTIVE ADMIN | ALL ACES RRR | WAIANAE, HI |
| 07/2011 - 09/2011 | | CONTRACTS ADMIN | SEHI | PEARL HARBOR, HI |
| 11/2009 - 06/2011 | | CONTRACTS ADMIN | VENTURA TECHNOLOGY | FORT SHAFTER, HI |
| 11/2004 - 10/2009 | | INSURANCE AGENT ASSIST. | STATE FARM INSURANCE | KAPOLEI, HI |
| 01/2004 - 10/2004 | | RECEPTIONIST | THE SMILING PLACE | WAIPAHU, HI |
| 04/2001 - 12/2003 | | RESIDENT MANAGER | LAUNIU ARMS | WAIKIKI, HI |
| 01/2000 - 07/2002 | | STORE MANAGER | PACIFIC BLUE TRADERS | HONOLULU, HI |
| 09/1997 - 12/1999 | | BARTENDER/WAITRESS | PLAYERS SPORTS BAR | HONOLULU, HI |
| 07/1997 - 09/1997 | | WAITRESS | WORLD CAFE | HONOLULU, HI |
| 07/1997 - 09/1997 | | CLERK | K-MART | HONOLULU, HI |
| 06/1996 - 07/1997 | | RECEPTIONIST | ART'S AUTOMOTIVE | WAIPAHU, HI |

(If additional space is needed, please use reverse side)

List your experience in the liquor industry: LAYER SPORTS BAR AND WORLD CAFE AS WAITRESS/BARTENDER

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C&C OF HONOLULU

2019 AUG 20 A 11:52

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☐ Full time, or ☒ Part-time?

I, FARRAH NELSON

, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

Farrah Nelson
Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 15th day of August in the year of 2019, personally appeared Farrah Nelson who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Farrah Nelson
Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

15th day of August, 2019

Sani Dee Miner
Signature of Notary

Print Name:
Notary Public, State of Hawaii

Sani Dee Miner

My commission expires NOV 05 2021

(Place Notary Stamp or Seal here)

NOTARY CERTIFICATION

Date of Doc: AUG 15 2019 # of Pages: 2

Notary Name: Sani Dee Miner FIRST Circuit

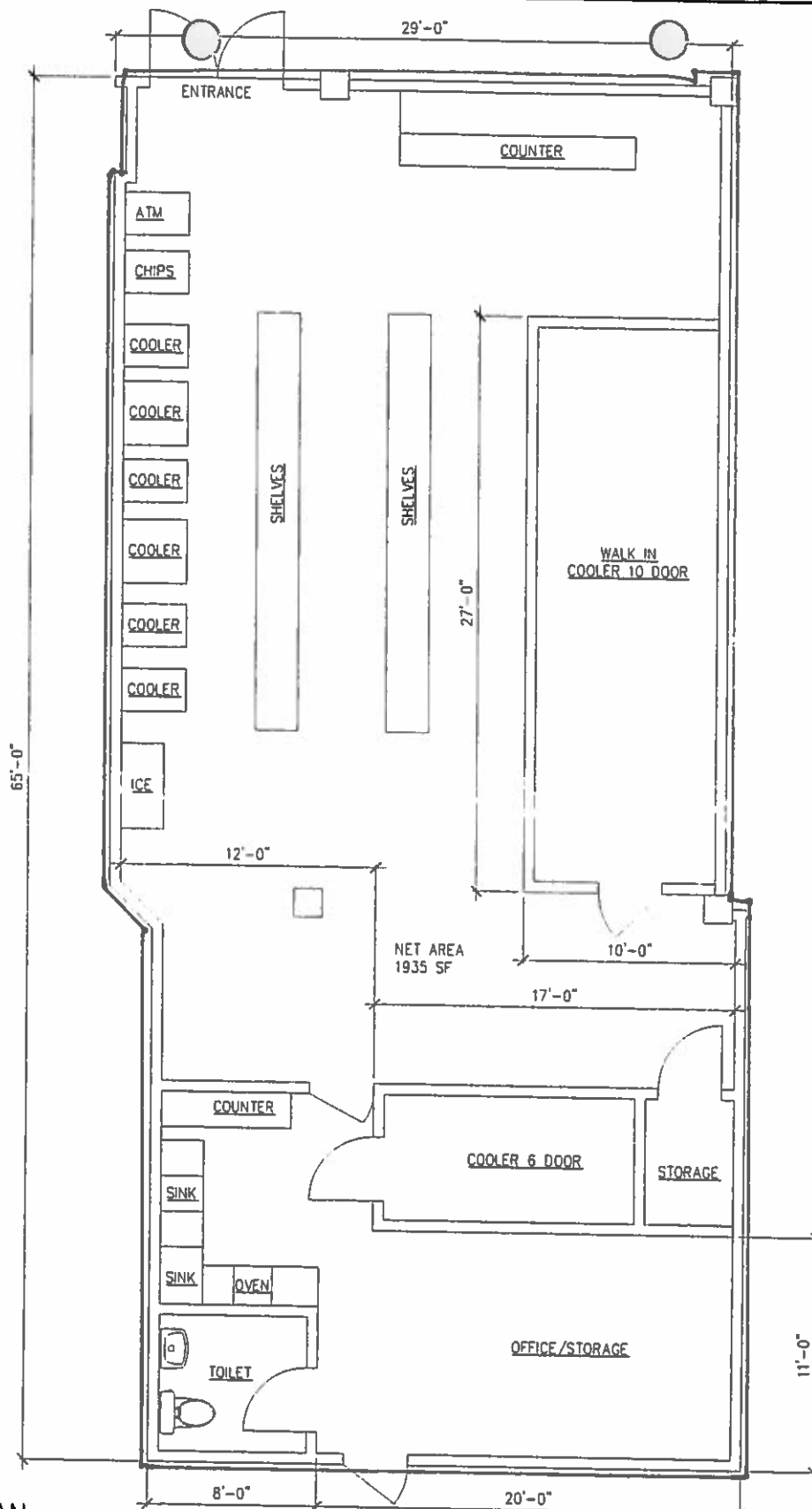
Doc. Description: PERSONAL HISTORY AND AFFIDAVIT

Sani Dee Miner
Notary Signature

AUG 15 2019
Date

(Place Notary Stamp or Seal here)





FLOOR PLAN

SCALE: 1/8" = 1'-0"



MAKAHA MINI MART FLOOR PLAN

Date MAY 2020

Project No. N/A

Drawn

Sheet No.

A-1

Sheet 1 of 1

[illegible]

Google

Imagery ©2020 Maxar Technologies, U.S. Geological Survey, USGS, Map data ©2020

200 ft 

LICENSING INVESTIGATIVE REPORT

DATE: September 30, 2020

SUBJECT: Temporary application No. 21-22013 GCJ LLC, dba 808 MART, at the current site of AIRPORT 7 MARKET, Inc., dba AIRPORT 7 MARKET, Retail General, located at 550 Paiea St., #L-2, Honolulu, HI (D0921)

CORPORATE STRUCTURE:

GCJ LLC: Organized under the laws of the State of Hawaii on May 6, 2020, as a member-managed limited liability company, and its sole member is:

| <u>NAME:</u> | <u>TITLE:</u> | <u>%:</u> |
|-------------------|---------------|-----------|
| BURTON CRAIG PARK | MEMBER | 100% |

See **Exhibits A** for biographical background information of BURTON CRAIG PARK. CJIS Check was conducted on September 30, 2020, and the results were negative for any felony convictions.

FINGERPRINTS:

Fingerprint results have not been received.

FINANCIAL STATEMENT OF GCJ LLC, AS OF MAY 31, 2020:

Financial Statement of the applicant dated July 6, 2020, was submitted to the Commission on July 8, 2020, and certified by the applicant by the applicant to be substantially correct.

TRANSFER APPLICATION FILED:

The applicant filed a transfer application 21-22014 on July 8, 2020.

LICENSE IN EFFECT FOR MORE THAN ONE YEAR:

The Retail General license has been in effect since November 20, 1998.

CONSENT OF TRANSFEROR:

Airport 7 Market, Inc., dba Airport 7 Market, authorizes applicant, GCJ LLC, dba 808 Mart, to operate under a temporary license at the premises.

LANDLORD CONSENT:

Airport Trade Center, authorizes applicant to for the sale and service of liquor.

LIQUOR PURCHASE:

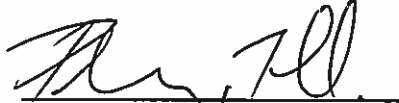
The applicant is aware of Sec. 281-32, HRS, which requires that all liquor purchases made under a temporary license must be paid for in cash, check, or certified check at the time of delivery of liquor and that all liquor must be purchased from a licensed wholesaler.

EFFECTIVE DATE OF TEMPORARY LICENSE:


Unless otherwise approved by the Commission the temporary license will be effective no later than 7 days after its approval by the liquor Commission.

OPINION:

In my opinion, the applicant has complied with the minimum requirements of filing this temporary application.


Thanh Phung,
Licensing Investigator

Reviewed by:


Daniel Sato,
Supervising Investigator *ah*

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

PERSONAL HISTORY AND AFFIDAVIT
Rule 3-83-53.1

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LIQUOR COMMISSION
C&C OF HONOLULU

7/27/00 11:11 - 8 P 4: 26

NAME PARK BURTON CRAIG N/A SOCIAL SECURITY NO. _____
Last, First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS. _____
CITY _____ STATE _____ ZIP CODE _____ BUS. () _____
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS MARRIED
(City, State) (MM/DD/YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 1974 NAME OF SCHOOL UNIVERSITY H. S. HONOLULU, HI
(Include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 1 YEAR COMPLETED 1975 NAME OF COLLEGE UNIVERSITY OF HAWAII, HONOLULU, HI
(Include City and State)
OTHER EDUCATION APPRENTICE SCHOOL FOR PAINTING

CITIZENSHIP* U.S. CITIZEN DATE ARRIVED IN _____
HAWAII (if applicable) _____
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

| FROM MONTH/YEAR | TO MONTH/YEAR | POSITION | EMPLOYER | LOCATION |
|-----------------|---------------|--------------------------|--------------------------|----------------|
| 4/1975 | 1977 | BUSPERSON/ROOM SERVER | WAIKIKI BEACHCOMER HOTEL | HON., HI |
| 4/1977 | 12/1988 | APPRENTICE/ VICE PRESENT | KURAIHARA PAINTING | PEARL CITY, HI |
| 4/1989 | 12/2018 | OWNER | CRAIG PARK PAINTING | HON., HI |
| 2/1994 | 2/2000 | PREDISENT | C & D PAINTING | HON. HI |
| 20019 | PRESENT | RETIRED | | HON, HI |

(If additional space is needed, please use reverse side)

NOTARY INITIAL: _____

List your experience in the liquor industry: SEE ABOVE WORK HISTORY

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2020 JUL -8 P 4:26

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, BURTON CRAIG PARK, of _____,

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

Burton Craig Park

Signature

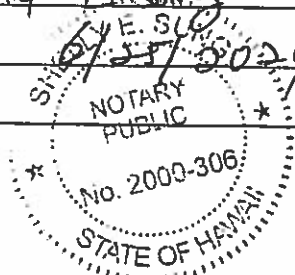


FOR NOTARY USE ONLY

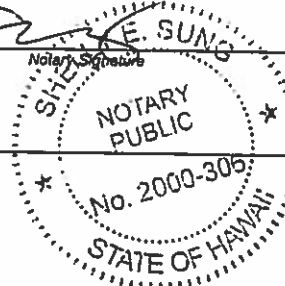
STATE OF HAWAII
City and County of Honolulu } SS.

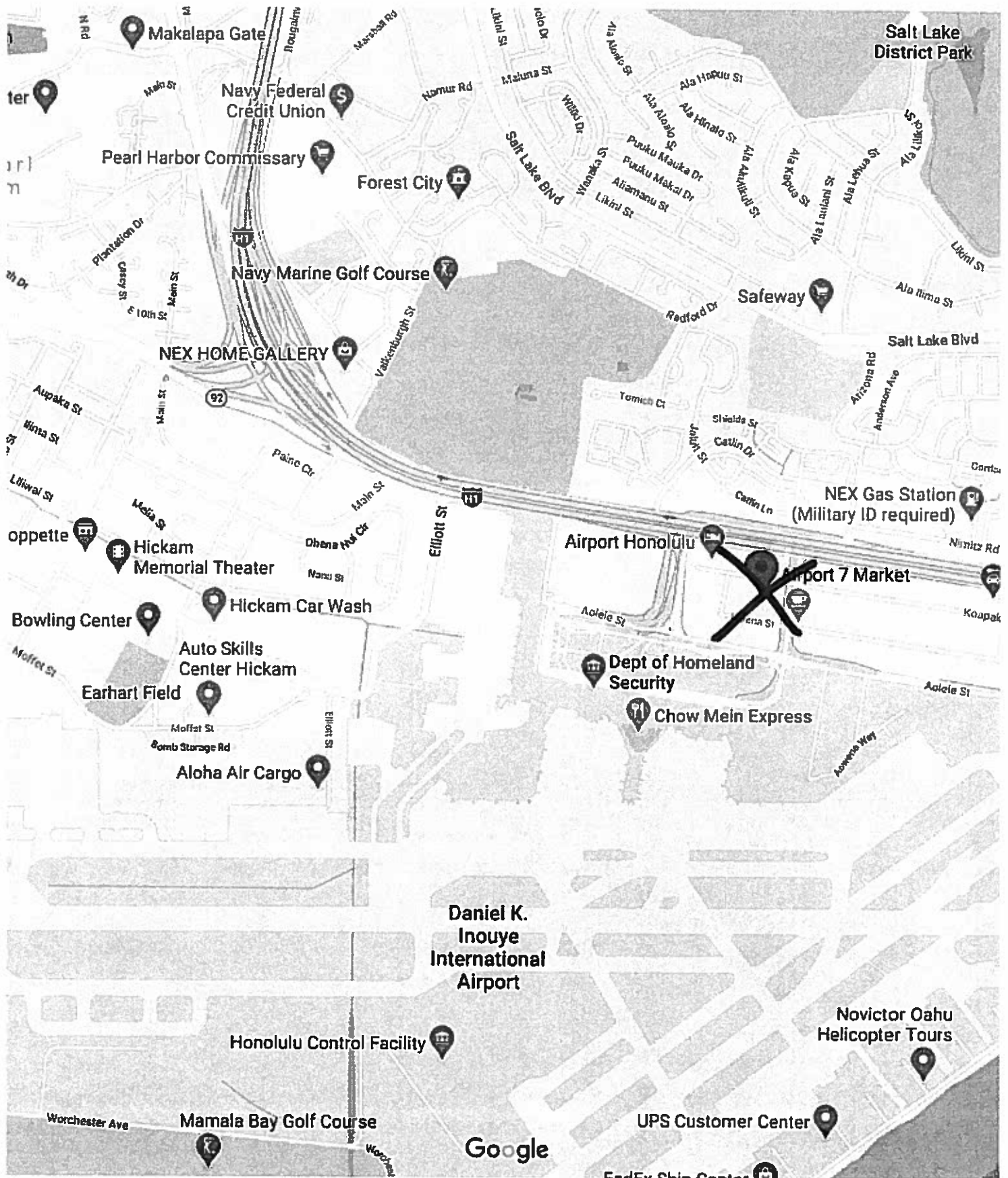
On this 3 day of June, in the year of 2020, personally appeared Burton Craig Park who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Burton Craig Park
Signature of Applicant(s) before Notary
Subscribed and sworn to before me this:
3 day of June, 2020
Signature of Notary
Print Name: Shelly E. Sung
Notary Public, State of Hawaii
My commission expires 06/27/2024
(Place Notary Stamp or Seal here)



NOTARY CERTIFICATION
Date of Doc: JUN - 3 2020 # of Pages: 2
Notary Name: Shelly E. Sung / 1/E Circuit
Doc. Description: Personal History and Affidavit
Signature of Notary: Shelly E. Sung
Date: JUN - 3 2020
(Place Notary Stamp or Seal here)





LICENSING INVESTIGATIVE REPORT

DATE: September 25, 2020

SUBJECT: Stock Transfer Application No. 20-20068 from Mediterranean Gourmet Food, Inc., dba Oliver, Retail license at 4614 Kilauea Avenue, Honolulu and for a change on Officers and Directors (D1037)

BACKGROUND:

On September 16, 2017 the corporate structure was as follows:

| | | <u>Shares</u> | <u>Percent</u> |
|----------------------|-------------|---------------|----------------|
| Jouen, Romy | D/S/T | 0 | 0% |
| Mojarrad, Savas A. | P/VP/D/S/T | 1,000 | 100% |
| <u>Yano, Francis</u> | <u>VP/D</u> | 0 | 0% |
| | | 1,000 | 100% |

On September 16, 2017, Savas Mojarrad had passed away and was removed as an Officer, Director, and Stockholder from Mediterranean Gourmet Food, Inc., on October 29, 2017.

On October 4, 2017, Romy Joen had resigned from the Mediterranean Gourmet Food, Inc.

On October 26, 2017, the Commission was notified via letter from Officer and attorney Francis Yano, of the death of Savas Mojarrad the sole stockholder of the corporation. Yano informed the Commission that "The Savas A. Mojarrad Trust" will become the sole stockholder of Mediterranean Gourmet Food, Inc. An attached Consular Mortuary Certificate stated that Savas A Mojarrad died **September 16, 2017**. No application or request was filed with this letter.

On October 29, 2017, Steven Iida and Habib Alaei were elected as officers of Mediterranean Gourmet Food, Inc., and were not reported within 30 days from the date of election of an Officer or Director, to the Commission, pursuant to HRS §281-41(i).

BACKGROUND-CONTINUED:

On May 29, 2018, For the 2019 fiscal year, the Liquor License Renewal Application, dated May 25, 2018, was submitted by Francis Yano. Romy Jouen and Savas Mojarrad were crossed off as Officers and Directors. Steven Iida and Habib Alaei were written in as Officers and Directors.

On May 29, 2018, an "Add or Delete Officers/Directors Corporation Only" form, dated May 25, 2018, was submitted by Francis Yano. Romy Jouen and Savas Mojarrad were deleted as Officers and Directors. Steven Iida and Habib Alaei were added as Officers and Directors. No other documents were provided with this application. No investigation was conducted in conjunction with this report. No Personal History Affidavits or Criminal History Clearance forms were submitted. Neither, Steven Iida nor Habib Alaei were properly vetted as Officers and Directors of a corporation in Hawaii Revised Statutes 281-45.

Exhibits A for further details

On May 29, 2018, the Commission received a document titled "Mediterranean Gourmet Food, Inc. Minutes of the Special Meeting of the Board of Directors" dated October 29, 2017. The minutes identified that Romy Jouen resigned as an Officer and Director effective **October 4, 2017**. Francis Yano as the sole Officer and Director appointed Steven M. Iida and Habib Alaei as Officers and Directors of the Corporation.

On July 16, 2018, Mediterranean Gourmet Food, Inc., submitted a miscellaneous request No. 18-12653 in reference to notification of new officers and directors and for a stock transfer. The request was returned to Mediterranean Gourmet Food, Inc. due to deficiencies and lack of supporting documentation.

On October 24, 2018, according to a submitted "Mediterranean Gourmet Food, Inc. Minutes of the Special Stockholder Meeting" dated October 26, 2018, and received by the Commission on July 11, 2019, the Probate Court pointed Francis H. Yano as Personal Representative of Estate of Savas A. Mojarrad. 1,000 common shares of capital stock of Mediterranean Gourmet Food, Inc. was transferred FRANCIS H. YANO, Trustee of the Savas A. Mojarrad Trust, dated November 19, 2010.

BACKGROUND-CONTINUED:

On December 21, 2018, according to a submitted "Mediterranean Gourmet Food, Inc. Minutes of the Special Meeting of the Board of Directors" dated December 21, 2018, and received by the Commission on July 11, 2019, approved the sale of Mediterranean Gourmet Food, Inc. to Steven Iida for a sum of \$252,000 made effective January 7, 2019.

On January 7, 2019, according to a submitted "Mediterranean Gourmet Food, Inc. Minutes of the Special Meeting of the Board of Directors" effective January 1, 2019, and received by the Commission on July 11, 2019, approved the appointment of Steven Iida as President/ Secretary, Francis Yano as Vice President, and Kili T.A. Kondo as Vice President/Treasurer. The Commission was not notified within 30 days of the date of election pursuant to HRS §281-41(i).

On May 24, 2019, The Liquor License Renewal Application, dated May 23, 2019, was submitted by Steven Iida. Francis Yano, Steven Iida, and Habib Alaei were listed as the Officers and Directors. Steven Iida was not recognized by the Commission as an officer or authorized representative of Mediterranean Gourmet Food, Inc., however was erroneously allowed to renew the liquor license.

Exhibits B for further details

On July 11, 2019, Mediterranean Gourmet Food, Inc. submitted this stock transfer application No. 20-20068, signed by Steven Iida May 23, 2019, as President and Owner of Mediterranean Gourmet Food, Inc.

CORPORATE STRUCTURE:

Mediterranean Gourmet Food, Inc.: Originally incorporated under the laws of the State of Hawaii on March 12, 1976 authorized to issue 1,000 shares.

Commission records currently show that the officers, directors, and stockholders are:

| | | <u>Shares</u> | <u>Percent</u> |
|----------------------|-------------|---------------|----------------|
| Jouen, Romy | D/S/T | 0 | 0% |
| Mojarrad, Savas A. | P/VP/D/S/T | 1,000 | 100% |
| <u>Yano, Francis</u> | <u>VP/D</u> | <u>0</u> | <u>0%</u> |
| | | 1,000 | 100% |

APPLICATION:

Through the Application for Transfer of Stock No. 20-20068, Mediterranean Gourmet Food, Inc. requests the Commission's approval for the transfer of 100% of its stock from Savas Mojarrad to Savas A. Mojarrad Trust; from Savas A. Mojarrad Trust to FRANCIS H. YANO Trustee of the Savas A. Mojarrad Trust; from FRANCIS H. YANO Trustee of the Savas A. Mojarrad Trust to Steven Iida. The addition of Steven Iida and Kili T.A. Kondo as Officers and Directors, and the removal of Savas Mojarrad and Romy Jouen as Officers and Directors.

The Officers, Directors, and Stockholders of Mediterranean Gourmet Food, Inc. will be:

| | | <u>Shares</u> | <u>Percent</u> |
|------------------|----------|---------------|----------------|
| Kondo, Kili T.A. | D/VP/T | 0 | 0% |
| Iida, Steven | P/D/S/SH | 1,000 | 100% |
| Yano, Francis | VP/D | 0 | 0% |
| | | 1,000 | 100% |

Changes are in **Bold**.

For further details of Kili Kondo and Steven Iida, see **Exhibits C** for biographical information. CJIS Computer System checks are negative for felony convictions.

FINGERPRINTS:

Kili Kondo and Steven Iida will be referred to "Fieldprint" to schedule their fingerprinting.

STATUS OF CORPORATION:

According to the Department of Commerce and Consumer Affairs, Mediterranean Gourmet Food, Inc. is an existing company.

STOCK TRANSER:

According to a submitted "Mediterranean Gourmet Food, Inc. Minutes of the Special Meeting of the Board of Directors" dated December 21, 2018, and received by the Commission on **July 11, 2019**, \$52,000 was paid as a down payment on January 1, 2019 with twenty (20) installments of \$10,353.66 to be paid until the balance of \$200,000 has been paid, with the last installment estimated around September 1, 2020. A Promissory "Note" dated January 1, 2019, and received by the Commission on July 11, 2019 identifies a payment plan for the amount of \$200,000 to be paid to the order of FRANCIS H. YANO Trustee of the Savas A. Mojarrad Trust.

See **Exhibits D** for details.

EFFECTIVE DATE OF TRANSFER:


On December 21, 2018, according to a submitted "Mediterranean Gourmet Food, Inc. Minutes of the Special Meeting of the Board of Directors" dated December 21, 2018, and received by the Commission on **July 11, 2019**, approved the sale of Mediterranean Gourmet Food, Inc. to Steven Iida for a sum of \$252,000 made effective **January 1, 2019**.

STOCK TRANSFER ADVISORY:

A Stock Transfer Advisory, dated May 23, 2019, was received on July 11, 2019.


OPINION:

In my opinion, statutory requirements have not been met in filing this application. The Commission was not notified of the transfer of stock within 30 days. The Commission was not notified of the change in Officers and Directors within 30 days.

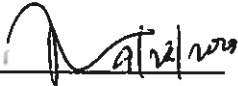


Matthew Foster
Licensing Investigator

Reviewed:



Daniel Sato
Supervising Investigator


at 2/2/2019
ch

**LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU**

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

**ADD OR DELETE OFFICERS/DIRECTORS
CORPORATION ONLY**

HRS Section 281-41, Rules 3-82-41.2, 3-83-53.1

RECEIVED
LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU

2018 MAY 29 P 3:12

Effective Date of Application/Change: _____ License # (if existing): _____

Licensee Name: MEDITERRANEAN GOURMET FOOD, INC.

Doing Business As (DBA): OLIVER

Class: RETAIL Kind: GENERAL
(Dispenser, Retail, etc.) (General, Beer, etc.)

Premise Address: 4614 KILAUEA AVENUE
HONOLULU, HI 96816

Phone: _____ Fax: _____ Email: _____

Changes to Officers/Directors as follows (attach additional sheets if necessary):

IF ADDING A NEW OFFICER/DIRECTOR, please provide a notarized Personal History & Affidavit (Form# LIQ-LIC-129), completed Request for Criminal History Record Clearance (Form# LIQ-LIC-132), & copies of supporting documents to confirm the appointment of the Officer/Director & position.
(Personal History and Criminal History Record does not apply to Transient Vessel Applications.)

| Add | Delete | Name | Title | # of Shares | % of Ownership |
|--------------------------|--------------------------|---------------------------|----------------------------------|-------------|----------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <u>JOVEN, ROMY</u> | <u>TREAS, DIR, SEC</u> | _____ | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <u>MOJARRAD, SANAS A.</u> | <u>PRES, DIR, SEC, VP, TREAS</u> | _____ | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <u>YANO, FRANCIS</u> | <u>VP</u> | _____ | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <u>YANO, FRANCIS</u> | <u>PRES, SEC</u> | _____ | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <u>IIDA, STEVEN</u> | <u>VP, TREAS</u> | _____ | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <u>ALAEI, HABIB</u> | <u>Assistant VP</u> | _____ | _____ |

SHY
INITIAL

I certify that all Officers/Directors listed above are at least 21 years of age.

Francis H. Yano, President
SIGNATURE Licensee (Owner)/Authorized Agent

5/25/18
DATE

FRANCIS H. YANO
PRINT Licensee (Owner)/Authorized Agent

Note: If submission by Authorized Agent, please submit a Letter of Authorization or Notification of Authorized Agent (form# LIQ-LIC-106) signed by the Licensee/Owner.

Notary Initial
(If applying for New License or Transfer of License)

OFFICE USE:

LCIS ENTRY DATE: 5/30/18

HLC STAFF INITIAL: [Signature]

EXHIBIT A


D1037

DO NOT FILL IN THIS SPACE

18-20820

LICENSE FEE

\$1,800.00

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
 711 KAPIOLANI BOULEVARD, SUITE 800, HONOLULU, HAWAII 96813-5249
 PHONE (808) 768-7300 • FAX (808) 768-7311
 INTERNET ADDRESS: www.honolulu.gov/liq

OFFICE USE (Date/Time Stamp)

RECEIVED
 LIQUOR COMMISSION
 C&C OF HONOLULU

2018 MAY 29 P 3:11

LIQUOR LICENSE RENEWAL APPLICATION

| | | |
|--|--|--------------------------|
| License Classification: RETAIL/GENERAL/NOT APPLICABLE | | Fiscal Year: 2019 |
| Licensee (Owner) Full Name: MEDITERRANEAN GOURMET FOOD, INC. | | |
| License Trade Name/DBA: OLIVER | | |
| Licensee (Owner) Mailing Address: 3347 KAMA'AINA PL. HONOLULU, HI 96817 | License Premise Address: 4614 KILAUEA AVE HONOLULU, HI 96816 | |

The following reflects the license ownership information on file with the Honolulu Liquor Commission:

| Name(s) | Title(s) | Expiration |
|---------|----------|------------|
|---------|----------|------------|

| | |
|---|---|
| 1 JOUEN, ROMY 2 JOUEN, ROMY 3 JOUEN, ROMY 4 MOJARRAD, SAVAS A. 5 MOJARRAD, SAVAS A. 6 MOJARRAD, SAVAS A. 7 MOJARRAD, SAVAS A. 8 MOJARRAD, SAVAS A. 9 YANO, FRANCIS 10 YANO, FRANCIS YANO, FRANCIS IIDA, STEVEN IIDA, STEVEN IIDA, STEVEN ALAEI, HABIB ALAEI, HABIB | TREAS DIR SEC DIR PRES SEC VP TREAS DIR VP PRES SEC VP TREAS DIR AVP DIR |
|---|---|

OK ✓
 5/30/18

| | |
|--|---|
| | 1 RETAIL GEN \$1,800.00 TL \$1,800.00 CHECK \$1,800.00 |
|--|---|

For a CHANGE OF OWNERSHIP refer to Rule §3-82-41.2 (go to www.honolulu.gov/liq, Forms/Documents, and 017 Checklist.)
 Licensee must notify the Honolulu Liquor Commission in writing within thirty (30) days of any change of Officers, Directors and/or 25%+ Stockholders.

Applicant must submit:

- (A) This application signed by an authorized officer, member, sole-proprietor, or agent. For authorized agent, provide Notification of Authorized Agent Form # LIQ-LIC-106.
- (B) Annual License fee (Make check payable to "City & County of Honolulu").
- (C) Certificate of Insurance (COI) showing \$1 million liquor liability insurance in effect on July 1st.
- (D) Certificate of Good Standing within 60 days of filing.
- (E) Tax Clearances from the Hawaii State Department of Taxation (DOTAX) and the U.S. Internal Revenue Service (IRS) showing payment of all taxes, penalties and/or interest owed, or documentation of an approved payment plan agreement formally entered with DOTAX and/or IRS.

All statements made herein are true and complete to the best of my knowledge, pursuant to §201-53, Hawaii Revised Statutes.


 AUTHORIZED SIGNATURE

5/25/18
 DATE

FRANCIS H. YANO / PRESIDENT
 PRINT NAME / TITLE

CONSULT @ YANOLAW.COM
 EMAIL ADDRESS

(808) 593-0770
 PHONE NUMBER

(808) 593-0774
 FAX NUMBER

| | | | | |
|--|--|---|--|--|
| LIQUOR COMMISSION USE ONLY | | <input type="checkbox"/> INITIAL Certificate of Insurance (COI) | | <input checked="" type="checkbox"/> Check # <u>3010</u> <input type="checkbox"/> Cash <input type="checkbox"/> Credit Card Confirm #: _____ |
| <input checked="" type="checkbox"/> INITIAL ARTS Entry <u>5/30</u> Date | <input type="checkbox"/> INITIAL Certificate of Good Standing (COGS) | <input checked="" type="checkbox"/> INITIAL State Tax Clearance | | |
| <input checked="" type="checkbox"/> INITIAL LCIS Entry <u>5/30</u> Date | <input type="checkbox"/> INITIAL IRS/Federal Tax Clearance | | | |
| | | | | |

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C&C OF HONOLULU

2018 JUL 11 P 3:21

MEDITERRANEAN GOURMET FOOD, INC.

MINUTES OF THE
SPECIAL STOCKHOLDER MEETING

DATE: Friday, October 26, 2018
TIME: 3:00 P.M.
PLACE: 1313 S. Beretania Street, Suite 320
(Law Office of Francis H. Yano)
Honolulu, Hawaii 96814

Present: Francis H. Yano, Trustee of Savas A. Mojarrad Trust
(sole stockholder)

By Invitation: Steven M. Iida and Habib Alaei

This special meeting was called due to the death of SAVAS ABE MOJARRAD on September 16, 2017 in the country of Greece. MEDITERRANEAN GOURMET FOOD, INC. (MGF) had three Directors: Savas A. Mojarrad, Francis H. Yano and Romy T. Jouen. ROMY T. JOUEN resigned as a Director, Secretary and Treasurer on October 4, 2017.

On October 24, 2018, the Probate Court appointed Francis H. Yano as Personal Representative of Estate of SAVAS A. MOJARRAD, also known as Savas Abe Mojarrad, also known as Abe Mojarrad. In accordance with the Last Will and Testament of Savas A. Mojarrad Francis H. Yano as Personal Representative aforesaid transferred all of the issued and outstanding ONE THOUSAND (1,000) COMMON shares of the capital stock of Mediterranean Gourmet Food, Inc. to FRANCIS H. YANO, Trustee of the Savas A. Mojarrad Trust dated November 19, 2010.

EXHIBIT B

The sole stockholder, Francis H. Yano, Trustee aforesaid, voted the Board of Directors to continue with three (3) directors.

Francis H. Yano voted to appoint the following as Directors:

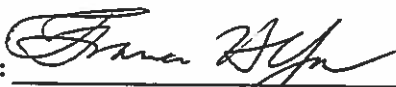
FRANCIS H. YANO
STEVEN M. IIDA
HABIB ALAEI

to serve until the next annual stockholder meeting.

Francis H. Yano as Trustee of the Savas A Mojarrad Trust dated November 19, 2010 and sole stockholder has authorized the Board of Directors to negotiate the sale of MEDITERRANEAN GOURMET FOOD, INC. dba Oliver and Olive Tree Café to STEVEN M. IIDA, current manager of both businesses.

There being no further business, the meeting was adjourned at 3:30 P.M.

Minutes submitted by:



FRANCIS H. YANO, Secretary

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LIQUOR COMMISSION
O&C OF HONOLULU

2019 JUL 11 P 3:21

MEDITERRANEAN GOURMET FOOD, INC.

MINUTES OF THE
SPECIAL MEETING OF THE BOARD OF DIRECTORS

DATE: Friday, October 26, 2018
TIME: 3:30 P.M.
PLACE: 1313 S. Beretania Street, Suite 320
(Law Office of Francis H. Yano)
Honolulu, Hawaii 96814

Present: Francis H. Yano, Director

By Invitation: Steven M. Iida and Habib Alaei

This special meeting of the Board of Directors was called due to the death of SAVAS ABE MOJARRAD on September 16, 2017 in the country of Greece. MEDITERRANEAN GOURMET FOOD, INC. (MGF) had three Directors: Savas A. Mojarrad, Francis H. Yano and Romy T. Jouen. ROMY T. JOUEN resigned as a Director, Secretary and Treasurer on October 4, 2017.

On October 24, 2018, the Probate Court appointed Francis H. Yano as Personal Representative of Estate of SAVAS A. MOJARRAD, also known as Savas Abe Mojarrad, also known as Abe Mojarrad. In accordance with the Last Will and Testament of Savas A. Mojarrad Francis H. Yano as Personal Representative aforesaid transferred all of the issued and outstanding ONE THOUSAND (1,000) COMMON shares of the capital stock of Mediterranean Gourmet Food, Inc. to FRANCIS H. YANO, Trustee of the Savas A. Mojarrad Trust dated November 19, 2010.

EXHIBIT B

Board of Directors:

Just prior to this meeting of the Board of Directors, the sole shareholder, Francis H. Yano, Trustee of the Savas A. Mojarrad Trust, decided that the Board of Directors shall continue with three (3) directors. Francis H. Yano, Trustee aforesaid and sole stockholder, voted to appoint Francis H. Yano, Steven M. Iida (Manager of the Oliver and Olive Tree Café) and Habib Alaei to serve as directors of MEDITERRANEAN GOURMET FOOD, INC. until the next annual meeting of the Board.

OFFICERS:

The Board elected the officers of MEDITERRANEAN GOURMET FOOD, INC. to serve until the next meeting of the Board:

| | |
|---------------------------|-----------------|
| President/Secretary: | FRANCIS H. YANO |
| Vice-President/Treasurer: | STEVEN M. IIDA |
| Assistant Vice-President: | HABIB ALAEI |

The Board confirmed that STEVEN M. IIDA shall continue to manage Oliver and Olive Tree Café for MGF, Inc.

The Corporation shall continue to pay all expenses for MEDITERRANEAN GOURMET FOOD, INC. and shall loan all funds reasonably necessary to repair and maintain all assets owned by the sole shareholder, SAVAS A. MOJARRAD, deceased, and shall reasonably repair, replace equipment and renovate the current premises occupied by Olive Tree Café and Oliver at 4614 Kilauea Avenue, Honolulu, Hawaii 96816.

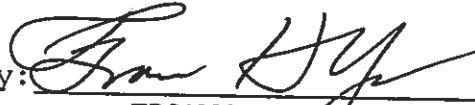
Francis H. Yano as Trustee of the Savas A Mojarrad Trust dated November 19, 2010 and sole stockholder has authorized the Board of Directors to sell MEDITERRANEAN GOURMET FOOD, INC. dba Oliver and Olive Tree Café to STEVEN M. IIDA, current manager of both businesses.

STEVEN M. IIDA recused himself from any discussions by the Board of Directors regarding the sale of MEDITERRANEAN

GOURMET FOOD, INC. Francis H. Yano and Habib Alaei constituted a quorum and voted to direct the President to negotiate the terms and conditions of sale.

There being no further business, the meeting was adjourned at 4:00 P.M.

Minutes submitted by:



FRANCIS H. YANO, Secretary

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U&C OF HONOLULU

2019 JUL 11 P 3 20

MEDITERRANEAN GOURMET FOOD, INC.

MINUTES OF THE
SPECIAL STOCKHOLDER MEETING

DATE: Friday, December 21, 2018
TIME: 3:30 P.M.
PLACE: 1313 S. Beretania Street, Suite 320
(Law Office of Francis H. Yano)
Honolulu, Hawaii 96814

Present: Francis H. Yano, Trustee of the Savas A. Mojarrad
Trust, sole stockholder

By Invitation: Habib Alaei and Steven M. Iida

This special meeting of the sole shareholder was called to decide whether to ratify and approve the sale of Mediterranean Gourmet Food, Inc. dba Oliver and Olive Tree Cafe to STEVEN M. IIDA, current manager of Oliver and Olive Tree Café.

The Board of Directors have approved the sale of MEDITERRANEAN GOURMET FOOD, INC. to STEVEN M. IIDA for \$252,000.00, the duly appraised value of the company. The sale price is based upon three factors:

1) The Savas A. Mojarrad Trust specifically directs the Trustee to facilitate the sale of MEDITERRANEAN GOURMET FOOD, INC. to an existing employee of MEDITERRANEAN GOURMET FOOD, INC. dba Oliver and Olive Tree Cafe. Said corporation would have no current market value to any other purchasers, except STEVEN M. IIDA.

EXHIBIT B

2) STEVEN M. IIDA has been the manager of both Oliver and Olive Tree Café. He was trained by Savas A. Mojarrad for over 8 years in all aspects of both businesses, especially all menu items.

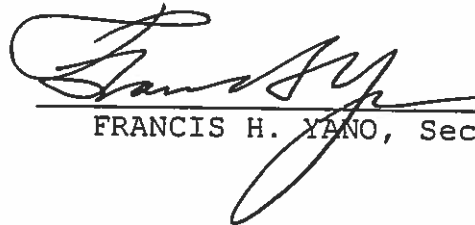
3) During the summer of 2017, Savas A. Mojarrad himself, personally introduced Steven M. Iida to Francis H. Yano as the current manager and eventual successor owner of Oliver and Olive Tree Café.

Therefore the sole shareholder, Francis H. Yano, Trustee aforesaid, approved the sale price of \$252,000.00 in accordance with the business appraisal by Gary Kuba, CPA.

The shareholder also approved and ratified payment of the purchase price as follows: \$52,000.00 down on or before January 1, 2019. The balance of \$200,000.00 in twenty (20) monthly payments of \$10,353.66 commencing on February 1, 2019. Final payment will be due on or before September 1, 2020.

There being no further business, the meeting was adjourned at 4:00 P.M.

Minutes submitted by:


FRANCIS H. YANO, Secretary

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2019 JUL 11 P 3 20

MEDITERRANEAN GOURMET FOOD, INC.

MINUTES OF THE
SPECIAL MEETING OF THE BOARD OF DIRECTORS

DATE: Friday, December 21, 2018
TIME: 3:00 P.M.
PLACE: 1313 S. Beretania Street, Suite 320
(Law Office of Francis H. Yano)
Honolulu, Hawaii 96814

Present: Francis H. Yano, Trustee of the Savas A. Mojarrad
Trust and Habib Alaei

This special meeting of the Board of Directors was called to decide whether to sell the company to STEVEN M. IIDA, current manager of Olive Tree Café and Oliver.

Board of Directors:

On October 24, 2018, the Probate Court appointed Francis H. Yano as Personal Representative of Estate of SAVAS A. MOJARRAD, also known as Savas Abe Mojarrad, also known as Abe Mojarrad. In accordance with the Last Will and Testament of Savas A. Mojarrad Francis H. Yano as Personal Representative aforesaid transferred all of the issued and outstanding ONE THOUSAND (1,000) COMMON shares of the Capital Stock of Mediterranean Gourmet Food, Inc to FRANCIS H. YANO, Trustee of the Savas A. Mojarrad Trust dated November 19, 2010

On December 21, 2018 STEVEN M. IIDA recused himself as a Director, regarding the sale of MEDITERRANEAN GOURMET FOOD, INC. to himself. FRANCIS H. YANO and HABIB ALAEI constituted a quorum of two directors for the Board to

EXHIBIT B

determine the terms and conditions of the sale of MEDITERRANEAN GOURMET FOOD, INC.

The Board approved sale of MEDITERRANEAN GOURMET FOOD, INC. to STEVEN M. IIDA FOR \$252,000.00, the duly appraised value of the company. The sale price is based upon two factors:

1) The Savas A. Mojarrad Trust specifically directs the Trustee to facilitate the sale of MEDITERRANEAN GOURMET FOOD, INC. to an existing employee of MEDITERRANEAN GOURMET FOOD, INC. dba Olive Tree Café and Oliver. Said corporation would have no current market value to any other purchasers, except STEVEN M. IIDA.

2) STEVEN M. IIDA was the manager of both Olive Tree Café and Oliver by Savas A. Mojarrad in all aspects of both businesses, especially all menu items. Steven is the only person trained by decedent for over eight (8) years to handle all aspects of operating said Olive Tree Café and Oliver.

Therefore the Board approved the sale price of \$252,000.00 in accordance with the business appraisal by Gary Kuba, CPA.

The Board approved payment as follows, \$52,000.00 down on or before January 1, 2019. The balance of \$200,000.00 in twenty (20) monthly payments of \$10,353.66 commencing on February 1, 2019. Final payment should be on or before September 1, 2020.

The Board confirmed that STEVEN M. IIDA shall continue to manage Olive Tree Café and Oliver pending close of escrow for sale of the corporation to STEVEN M. IIDA.

The Corporation shall employ Keynes D. Von Elsner, CPA to handle all taxes, payroll, operations and related matters for MGF, Inc. up through December 31, 2018. He shall also handle all tax related matters for the anticipated sale of MGF, Inc. to Steven M. Iida on January 1, 2019.

Steven M. Iida, Kili T.A. Kondo, or Francis H. Yano, individually, shall each be authorized to sign checks for all accounts for MEDITERRANEAN GOURMET FOOD, INC.

The President shall handle all other matters for MGF, Inc. dba Olive Tree Café and Oliver, including the Liquor License for Oliver.

There being no further business, the meeting was adjourned at 3:30 P.M.

Minutes submitted by:


STEVEN M. IIDA, Secretary

APPROVED:


STEVEN M. IIDA


HABIB ALAEI


FRANCIS H. YANO

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2019 JUL 11 P 3 20

MEDITERRANEAN GOURMET FOOD, INC.

MINUTES OF THE
BOARD OF DIRECTORS MEETING

DATE: Monday, January 7, 2019
TIME: 3:30 P.M.
PLACE: 1313 S. Beretania Street, Suite 320
(Law office of Francis H. Yano)
Honolulu, HI 96814

Directors present:

Steven M. Iida
Francis H. Yano
Kili T.A. Kondo

This special meeting of the Board of Directors was called to confirm the sale of MEDITERRANEAN GOURMET FOOD, INC. dba Oliver and Olive Tree Café to STEVEN M. IIDA. Effective January 1, 2019, STEVEN M. IIDA purchased and became the sole stockholder of MEDITERRANEAN GOURMET FOOD, INC. (hereinafter "MGF").

The Board of Directors voted and appointed the following officers of MGF:

Steven M. Iida : President/Secretary
Francis H. Yano : Vice President
Kili T.A. Kondo : Vice President/Treasurer

to serve until the next annual meeting of the Board.

EXHIBIT B

Further, the Board of Directors confirmed that Steven M. Iida as President shall be the General Manager of both Oliver, the wine shop/deli business of MGF and Olive Tree Café, the restaurant business of MGF.

There being no further business, the meeting was adjourned at 4:00 P.M.


Approved:



STEVEN M. IIDA



FRANCIS H. YANO,



KILI T.A. KONDO

D1037

DO NOT FILL IN THIS SPACE

19-30815

LICENSE FEE **\$1,800.00**

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
 711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
 PHONE (808) 768-7300 • FAX (808) 768-7311
 INTERNET ADDRESS: www.honolulu.gov/liq

OFFICE USE (Date/Time Stamp)

RECEIVED
 LIQUOR COMMISSION
 C&C OF HONOLULU

2019 MAY 24 P 3:41

**LIQUOR LICENSE
 RENEWAL APPLICATION**

| | | | | |
|-----------------------------------|---|--------------------------|--|-------------|
| License Classification: | RETAIL/GENERAL/NOT APPLICABLE | | Fiscal Year: | 2020 |
| Licensee (Owner) Full Name: | MEDITERRANEAN GOURMET FOOD, INC. | | | |
| License Trade Name/DBA: | OLIVER | | | |
| Licensee (Owner) Mailing Address: | 1313 S. BERETANIA ST #320 HONOLULU, HI 96814 | License Premise Address: | 4614 KILAUEA AVE HONOLULU, HI 96816 | |

The following reflects the license ownership information on file with the Honolulu Liquor Commission:

| Name(s) | Title(s) | Expiration | REG | 05-24-2019(FRI) | 03:42 PM |
|-----------------|----------|--------------|-----|-----------------|----------|
| 1 ALAEI, HABIB | DIR | | | | |
| 2 ALAEI, HABIB | AVP | | | | |
| 3 ALAEI, HABIB | DIR | | | | |
| 4 IIDA, STEVEN | SEC | | | | |
| 5 IIDA, STEVEN | VP | | | | |
| 6 IIDA, STEVEN | TREAS | | | | |
| 7 YANO, FRANCIS | PRES | | | | |
| 8 YANO, FRANCIS | DIR | | | | |
| | | 1 RETAIL GEN | | \$1,800.00 | |
| | | TL | | \$1,800.00 | |
| | | CHECK | | \$1,800.00 | |

For a CHANGE OF OWNERSHIP refer to Rule §3-82-41.2 (go to www.honolulu.gov/liq, Forms/Documents, and 017 Checklist.)
 Licensee must notify the Honolulu Liquor Commission in writing within thirty (30) days of any change of Officers, Directors and/or 25%+ Stockholders.

Applicant must submit:

- (A) This application signed by an authorized officer, member, sole proprietor, or agent. For authorized agent, provide Notification of Authorized Agent Form # LIQ-LIC-106.
- (B) Annual License fee (Make check payable to "City & County of Honolulu").
- (C) Certificate of Insurance (COI) showing \$1 million liquor liability insurance in effect on July 1st.
- (D) Certificate of Good Standing within 60 days of filing.
- (E) Tax Clearances from the Hawaii State Department of Taxation (DOTAX) and the U.S. Internal Revenue Service (IRS) showing payment of all taxes, penalties and/or interest owed, or documentation of an approved payment plan agreement formally entered with DOTAX and/or IRS.

All statements made herein are true and complete to the best of my knowledge, pursuant to §281-53, Hawaii Revised Statutes.

Steven M. Iida
 AUTHORIZED SIGNATURE

5/23/19
 DATE

Steven M. Iida / President
 PRINT NAME / TITLE

nevettsadii@gmail.com
 EMAIL ADDRESS

808-216-6347
 PHONE NUMBER

FAX NUMBER

| | | | |
|---|-----------------|--|--|
| LIQUOR COMMISSION USE ONLY | | <input checked="" type="checkbox"/> <u>2</u> Certificate of Insurance (COI) | <input checked="" type="checkbox"/> Check #: <u>3116</u> |
| <input checked="" type="checkbox"/> <u>6</u> ARTS Entry | <u>05/24/19</u> | <input checked="" type="checkbox"/> <u>2</u> Certificate of Good Standing (COGS) | <input type="checkbox"/> Cash |
| <input checked="" type="checkbox"/> <u>6</u> LCIS Entry | <u>05/24/19</u> | <input checked="" type="checkbox"/> <u>2</u> State Tax Clearance | <input type="checkbox"/> Credit Card |
| | | <input type="checkbox"/> <u>W/H</u> IRS/Federal Tax Clearance | Confirm #:: |

RECEIVED
LIQUOR COMMISSION
C&D OF HONOLULU

2019 JUL 11 P 3:20

MEDITERRANEAN GOURMET FOOD, INC.

MINUTES OF THE
SPECIAL STOCKHOLDER MEETING

DATE: Monday, January 7, 2019
TIME: 3:00 P.M.
PLACE: 1313 S. Beretania Street, Suite 320
(Law office of Francis H. Yano)
Honolulu, HI 96814

Present: Steven M. Iida (sole stockholder),
Francis H. Yano and Kili T.A. Kondo

This special meeting was called to confirm the sale of MEDITERRANEAN GOURMET FOOD, INC. dba Oliver and Olive Tree Café to STEVEN M. IIDA. Effective January 1, 2019, STEVEN M. IIDA purchased and became the sole stockholder of MEDITERRANEAN GOURMET FOOD, INC. (hereinafter "MGF") and therefore constituted a quorum for this meeting.

The sole stockholder, Steven M. Iida, decided that the Board of Directors shall continue with three (3) directors.

Steven voted to appoint the following as Directors:

Steven M. Iida
Francis H. Yano
Kili T.A. Kondo

to serve until the next annual stockholder meeting.

EXHIBIT B

Further, Steven M. Iida called a special meeting of the Board of Directors of MGF to be held immediately.

There being no further business, the meeting was adjourned at 3:30 P.M.


Approved:



STEVEN M. IIDA



FRANCIS H. YANO



KILI T.A. KONDO

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

2019 JUL 11 P 3:16

NAME YANO FRANCIS HISAO SOCIAL SECURITY NO. _____
Last First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
HOME () _____
CITY _____ STATE _____ ZIP CODE _____ BUS. (808) 371-7347
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
(City, State) (MM/DD/YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 1965 NAME OF SCHOOL BELLARMINE COLLEGE PREPARATORY
SAN JOSE, (include City and State) CALIFORNIA
NO. OF YEARS COMPLETED IN COLLEGE 5 YEAR COMPLETED 1970 NAME OF COLLEGE UNIV. OF HAWAII, HONOLULU, HI.
(include City and State)
OTHER EDUCATION JURIS DOCTOR (J.D.) UNIV. OF COLORADO, BOULDER, COLORADO
CITIZENSHIP* U.S. DATE ARRIVED IN HAWAII (if applicable) 1950
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

| FROM MONTH/YEAR | TO MONTH/YEAR | POSITION | EMPLOYER | LOCATION |
|-----------------|---------------|----------|--|----------------|
| 4/1973 | 11/1974 | ATTORNEY | VINCENT H. YANO | HONOLULU, HI. |
| 12/1974 | 6/1980 | ATTORNEY | ING, LEBB & YANO | HONOLULU, HI. |
| 7/1980 | 6/1984 | ATTORNEY | SELF-EMPLOYED | HONOLULU, HI. |
| 7/1984 | 1/1989 | ATTORNEY | YANO & MATSUMOTO | HONOLULU, HI. |
| 2/1989 | PRESENT | ATTORNEY | SELF-EMPLOYED | HONOLULU, HI. |
| 8/1970 | Dec/1972 | STUDENT | @ UNIV. OF COLORADO SCHOOL of LAW - @ Boulder, Colo. | BOULDER, COLO. |

(If additional space is needed, please use reverse side)

List your experience in the liquor industry: _____

2019 JUL 11 P 3 16

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☐ Full time, or ☒ Part-time?

I, FRANCIS H. YANO, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

Francis H. Yano
Signature

P
R
P
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FOR NOTARY USE ONLY

STATE OF HAWAII }
City and County of Honolulu } SS.

On this 22 day of MAY, in the year of 2018, personally appeared FRANCIS H. YANO who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Francis H. Yano
Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

22 day of MAY, 2018

Harry W.Y. Chang
Signature of Notary

Print Name: HARRY W.Y. CHANG
Notary Public, State of Hawaii

My commission expires 6/7/2021

(Place Notary Stamp or Seal here)

NOTARY CERTIFICATION

Date of Doc: 5/22/18 # of Pages: 2

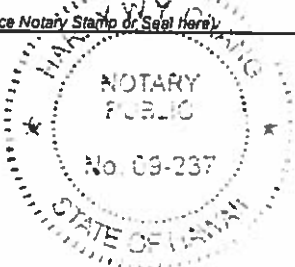
Notary Name: HARRY W.Y. CHANG 1ST Circuit

Doc. Description: PERSONAL HISTORY AND AFFIDAVIT

Harry W.Y. Chang
Notary Signature

5/22/18
Date

(Place Notary Stamp or Seal here)



**LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU**

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

2013 JUL 11 P 3:15

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

NAME Iida Steven Matsuichi SOCIAL SECURITY NO. _____
Last First Middle Maiden

HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
HOME; _____ BUS; _____

CITY _____ STATE _____ ZIP CODE _____

PLACE OF BIRTH Honolulu, Hawaii DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
(City, State) (MM/DD/YYYY)

NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 1988 NAME OF SCHOOL Mid Pacific Institute / Kalani High School
(Include City and State)

NO. OF YEARS COMPLETED IN COLLEGE 13 YEAR COMPLETED 2001 NAME OF COLLEGE Hawaii Pacific University Honolulu, Hawaii
(Include City and State)

OTHER EDUCATION Culinary Arts Kapiolani Community College 1998

CITIZENSHIP* US DATE ARRIVED IN HAWAII (if applicable) _____
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

| FROM MONTH/YEAR | TO MONTH/YEAR | POSITION | EMPLOYER | LOCATION |
|-----------------|---------------|-------------------|-----------------------------------|---|
| 7/87 | 1/91 | Parking Attendant | Kyoya | Honolulu, Hawaii Princess Kaiulani Hotel |
| 6/90 | 9/91 | Server/Busser | Bekiya's Restaurant | Honolulu, Hawaii |
| 6/91 | 4/94 | Prep Cook | Amyaki Fuji | Honolulu, Hawaii |
| 3/96 | 9/96 | Asst Cook | Kahala Mandarin Oriental Hotel | Honolulu, Hawaii |
| 10/96 | 5/02 | Cook | Olive Tree Cafe M.G.F. | Honolulu, Hawaii |
| 6/91 | 5/02 | Program Aide | City and County of Honolulu | Honolulu, Hawaii |
| 10/02 | 10/04 | Chef | Shuck Tavern | Las Vegas, NV Honolulu, Hawaii |
| 10/04 | 10/14 | Sous Chef | Table 34 | Las Vegas, NV |
| 2/06 | 9/07 | Executive Chef | Half Shell Seafood and Gaming | Henderson, NV |
| 11/14 | 3/15 | Chef de Cuisine | Signature Prime Steak and Seafood | Honolulu, Hawaii |
| 2/15 | Present | Manager | Olive Tree Cafe / Oliver (M.G.F.) | Honolulu, Hawaii |

(If additional space is needed, please use reverse side)

EXHIBIT C

NOTARY INITIAL: _____

List your experience in the liquor industry: 2 years Cook/Chief Shuck Tavern Las Vegas, Nevada
1 and 1/2 years Executive Chef Half Shell Seafood and Dining Las Vegas, Nevada
10 years Sous Chef Table 34, Las Vegas, Nevada

3 years Manager Olive Tree Cafe / Oliver

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, STEVEN M. IIDA, of

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

[Signature]

Signature



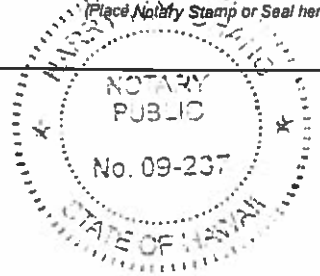
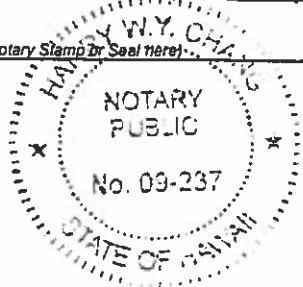
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FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu } SS.

On this 24 day of MAY, in the year of 2018, personally appeared STEVEN M. IIDA
who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

| | |
|---|------------------------|
| <i>[Signature]</i> Signature of applicant(s) before Notary | |
| Subscribed and sworn to before me this: | |
| <u>24</u> day of <u>MAY</u> | <u>2018</u> |
| <i>[Signature]</i> Signature of Notary | |
| Print Name: <u>HARRY W.Y. CHANG</u> | |
| Notary Public, State of Hawaii | |
| My commission expires <u>6/7/2021</u> | |
| (Place Notary Stamp or Seal here) | |
| NOTARY CERTIFICATION | |
| Date of Doc: <u>5/24/18</u> | # of Pages: <u>2</u> |
| Notary Name: <u>HARRY W.Y. CHANG</u> Circuit | |
| Doc. Description: <u>PERSONAL HISTORY AND AFFIDAVIT</u> | |
| <i>[Signature]</i> Notary Signature | <u>5/24/18</u> Date |
| (Place Notary Stamp or Seal here) | |



RECEIVED
LIQUOR COMMISSION
CAG OF HENRIOLLE

Rule 3-83-53.1

EMPLOYMENT RECORD (from the time school was completed to present):

| <u>FROM</u> <u>MONTH/YEAR</u> | <u>TO</u> <u>MONTH/YEAR</u> | <u>POSITION</u> | <u>EMPLOYER</u> | <u>LOCATION</u> |
|----------------------------------|--------------------------------|-----------------|-----------------|--|
| 09/2002 - | 12/2011 | COOK | BOGARDS CAFE | HON. HI 3045 MONSIEUR AVE HON HI |
| 03/2012 - | PRESENT | COOK | OLIVE TREE CAFE | 4614 KILAUEA AVE HON HI HON HI |

NOTARY INITIAL: h

List your experience in the liquor industry:

NONE

Will you devote time to manage the subject business?



Yes



No

If answer is "YES", will it be



Full time, or



Part-time?

I, KILI KONDO

, of :

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.



Signature



FOR NOTARY USE ONLY

STATE OF HAWAII

City and County of Honolulu

}

SS

On this 2 day of April, in the year of 2019, personally appeared Kili Kondo

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.



Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

2

day of

April

, 20 19



Signature of Notary

Print Name:

Notary Public, State of Hawaii

My commission expires

4/1/22

(Place Notary Stamp or Seal here)

NOTARY CERTIFICATION

Date of Doc:

4/2/19

of Pages:

2

Notary Name:

Aisha Kimura

Circuit

Doc. Description:

personal history affidavit for liquor

commission: kili kondo to be licensee



Notary Signature

4/2/19

Date

(Place Notary Stamp or Seal here)

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2019 JUL 11 P 3 21

MEDITERRANEAN GOURMET FOOD, INC.

MINUTES OF THE
SPECIAL MEETING OF THE BOARD OF DIRECTORS

DATE: Friday, December 21, 2018
TIME: 3:00 P.M.
PLACE: 1313 S. Beretania Street, Suite 320
(Law Office of Francis H. Yano)
Honolulu, Hawaii 96814

Present: Francis H. Yano, Trustee of the Savas A. Mojarrad
Trust and Habib Alaei

This special meeting of the Board of Directors was called to decide whether to sell the company to STEVEN M. IIDA, current manager of Olive Tree Café and Oliver.

Board of Directors:

On October 24, 2018, the Probate Court appointed Francis H. Yano as Personal Representative of Estate of SAVAS A. MOJARRAD, also known as Savas Abe Mojarrad, also known as Abe Mojarrad. In accordance with the Last Will and Testament of Savas A. Mojarrad Francis H. Yano as Personal Representative aforesaid transferred all of the issued and outstanding ONE THOUSAND (1,000) COMMON shares of the Capital Stock of Mediterranean Gourmet Food, Inc to FRANCIS H. YANO, Trustee of the Savas A. Mojarrad Trust dated November 19, 2010

On December 21, 2018 STEVEN M. IIDA recused himself as a Director, regarding the sale of MEDITERRANEAN GOURMET FOOD, INC. to himself. FRANCIS H. YANO and HABIB ALAEI constituted a quorum of two directors for the Board to

EXHIBIT D

determine the terms and conditions of the sale of MEDITERRANEAN GOURMET FOOD, INC.

The Board approved sale of MEDITERRANEAN GOURMET FOOD, INC. to STEVEN M. IIDA FOR \$252,000.00, the duly appraised value of the company. The sale price is based upon two factors:

1) The Savas A. Mojarrad Trust specifically directs the Trustee to facilitate the sale of MEDITERRANEAN GOURMET FOOD, INC. to an existing employee of MEDITERRANEAN GOURMET FOOD, INC. dba Olive Tree Café and Oliver. Said corporation would have no current market value to any other purchasers, except STEVEN M. IIDA.

2) STEVEN M. IIDA was the manager of both Olive Tree Café and Oliver by Savas A. Mojarrad in all aspects of both businesses, especially all menu items. Steven is the only person trained by decedent for over eight (8) years to handle all aspects of operating said Olive Tree Café and Oliver.

Therefore the Board approved the sale price of \$252,000.00 in accordance with the business appraisal by Gary Kuba, CPA.

The Board approved payment as follows, \$52,000.00 down on or before January 1, 2019. The balance of \$200,000.00 in twenty (20) monthly payments of \$10,353.66 commencing on February 1, 2019. Final payment should be on or before September 1, 2020.

The Board confirmed that STEVEN M. IIDA shall continue to manage Olive Tree Café and Oliver pending close of escrow for sale of the corporation to STEVEN M. IIDA.

The Corporation shall employ Keynes D. Von Elsner, CPA to handle all taxes, payroll, operations and related matters for MGF, Inc. up through December 31, 2018. He shall also handle all tax related matters for the anticipated sale of MGF, Inc. to Steven M. Iida on January 1, 2019.

Steven M. Iida, Kili T.A. Kondo, or Francis H. Yano, individually, shall each be authorized to sign checks for all accounts for MEDITERRANEAN GOURMET FOOD, INC.

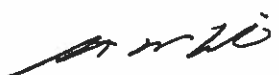
The President shall handle all other matters for MGF, Inc. dba Olive Tree Café and Oliver, including the Liquor License for Oliver.

There being no further business, the meeting was adjourned at 3:30 P.M.

Minutes submitted by:


STEVEN M. IIDA, Secretary

APPROVED:


STEVEN M. IIDA


HABIB ALAEI


FRANCIS H. YANO

COPY

LIBRARY COLLECTION
CNC OF HONOLULU

2019 JUL 11 P 3:20

NOTE

\$200,000.00

January 1, 2019

1. PROMISE TO PAY

In return for a loan that the undersigned has received, STEVEN M. IIDA, unmarried (hereinafter sometimes called "Borrower") promises to pay TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) (this amount will be called "principal"), plus interest, to the order of FRANCIS H. YANO, Trustee under the Savas A. Mojarra Trust dated November 19, 2010, as amended. The undersigned understand that Lender may transfer this Note. ~~Lender or anyone who takes this Note by transfer and who is~~ entitled to receive payments under this Note will be called the "Lender".

2. INTEREST

We will pay interest at a rate of four percent (4.00%) per year. Interest will be charged on that part of principal which has not been paid. Interest will be charged from January 1, 2019, and will continue until the full amount of principal has been paid.

3. PAYMENT

The undersigned will pay principal and interest by making payments every month. Each of the monthly payments will be in the amount of TEN THOUSAND THREE HUNDRED FIFTY-THREE and 69/100 DOLLARS (\$10,353.69) commencing on February 1, 2019. A copy of the Amortization Schedule payment by Hans Schroeder, CPA is attached hereto as Exhibit "A".

The undersigned will make twenty (20) monthly payments on the 1st day of each month beginning on February 1, 2019. Each monthly payment will be applied first to pay the interest then owing on the principal and the balance shall be applied to

EXHIBIT D

reduce the amount of principal that the undersigned owe under this Note. The undersigned will make these payments every month until undersigned has paid all of Principal and interest and any other charges, described below, that the undersigned may owe under this Note. If, on September 1, 2020, the undersigned has not paid all monies the undersigned owe under this Note, the undersigned will pay all principal, interest and any other charges that the undersigned may owe, in full, on that date.

The undersigned will make all monthly payments at 1313 S. Beretania Street #320, Honolulu, Hawaii 96814 or at a different place if required by the Lender.

4. FAILURE TO PAY AS REQUIRED

(A) Notice From Lender

If the undersigned does not pay the full amount of any payment on time, the Lender may send a written notice that if the undersigned do not pay the overdue amount by a certain date the undersigned will be in default. That date must be at least 30 days after the date on which the notice is mailed to the undersigned or, if it is not mailed, 30 days after the date on which it is delivered.

(B) Default

If the undersigned does not pay the overdue amount by the date stated in the notice described in (A) above, the undersigned will be in default. If the undersigned are in default, the Lender may require the undersigned to pay immediately the full amount of principal which has not been paid and all the interest that is owed on that amount. The Lender may also commence a lawsuit against the undersigned or take other reasonable steps to collect any overdue amounts.

Even, if at a time when the undersigned are in default, the Lender does not require the undersigned to pay immediately in full as described above, the Lender will still have the right to do so, if at a later time, the undersigned are in default again.

(C) Payment of Lender's Costs and Expenses

If the Lender takes any of the actions described in (B) above, the undersigned promise to pay to the Lender all of the

Lender's reasonable costs and expenses. Those expenses may include for example, reasonable attorney's fees.

5. RIGHT TO MAKE PAYMENTS

The undersigned have the right to make payments of principal before they are due. Any payment made before it is due is known as a "prepayment". A prepayment of only part of the unpaid principal is known as a "partial prepayment".

If the undersigned choose to make a partial prepayment, the Lender may require prepayment on the same day that one of the monthly payments is due. If the undersigned make a partial prepayment, there will be no delays in the due dates or changes in the amounts of the monthly payments unless the Lender agrees in writing to those delays or changes. The Lender will use all prepayments to reduce the amount of principal that the undersigned owe under this Note.

6. WAIVERS

The undersigned waives his rights to require the Lender to do certain things. Those things are: (A) to demand payment of amounts due (known as "prepayment"); (B) to give notice that amounts due have not been paid (known as "notice of dishonor"); (C) to obtain an official certification of nonpayment (known as "protest"). Anyone else (i) who agrees to keep the promises made in this Note, or (ii) who agrees to make payments to the Lender if the undersigned fail to keep their promises under this Note, or (iii) who signs this Note to transfer it to someone else (known as "guarantors, sureties, and endorses"), also waives these rights.

7. GIVING OF NOTICES

Any notice that must be given to the undersigned under this Note will be given by delivering it or by mailing it addressed to the undersigned at the Property Address below. A notice will be delivered or mailed to the undersigned at a different address if the undersigned give the Lender a notice of a different address.

All ONE THOUSAND (1,000) shares of issued and outstanding common stock of Mediterranean Gourmet Food, Inc. shall be collateral for this Note.

STATE OF HAWAII)
) SS.
CITY AND COUNTY OF HONOLULU)

EXHIBIT D:

Amortization Schedule generated by the www.amortization-schedule.info website.

Amortization Schedule

The monthly payment for a \$200,000.00 loan at 4.00% annual interest rate will be \$10,353.69 per payment. This amount should be paid to the lender, bank or lending institution for 1.666666666667 years. The loan amortization table below shows your monthly payment divided into two portions. One portion is put towards interest (Interest paid), while the other portion goes towards principal (principal paid). As you can see, initially a larger amount is applied towards interest and as the loan matures the portion applied towards the outstanding principal balance gets larger and larger.

Please note that if you are calculating a mortgage loan, property taxes, property insurance and private mortgage insurance is neglected in the calculation, they will increase the amount of your regular periodic payments.

| period: | date: | interest paid: | principal paid: | remaining balance: |
|---------|------------|----------------|-----------------|--------------------|
| 1 | 02/01/2019 | \$666.67 | \$9,687.02 | \$190,312.98 |
| 2 | 03/01/2019 | \$634.38 | \$9,719.31 | \$180,593.67 |
| 3 | 04/01/2019 | \$601.98 | \$9,751.71 | \$170,841.96 |
| 4 | 05/01/2019 | \$569.47 | \$9,784.22 | \$161,057.74 |
| 5 | 06/01/2019 | \$536.86 | \$9,816.83 | \$151,240.91 |
| 6 | 07/01/2019 | \$504.14 | \$9,849.55 | \$141,391.36 |
| 7 | 08/01/2019 | \$471.30 | \$9,882.39 | \$131,508.97 |
| 8 | 09/01/2019 | \$438.36 | \$9,915.33 | \$121,593.64 |
| 9 | 10/01/2019 | \$405.31 | \$9,948.38 | \$111,645.26 |
| 10 | 11/01/2019 | \$372.15 | \$9,981.54 | \$101,663.72 |
| 11 | 12/01/2019 | \$338.88 | \$10,014.81 | \$91,648.91 |

Loan amortization schedule for year 1 (2019):

You will spend \$5,539.50 on interest and \$108,351.09 on principal.

| period: | date: | interest paid: | principal paid: | remaining balance: |
|---------|------------|----------------|-----------------|--------------------|
| 12 | 01/01/2020 | \$305.50 | \$10,048.19 | \$81,600.72 |
| 13 | 02/01/2020 | \$272.00 | \$10,081.69 | \$71,519.03 |
| 14 | 03/01/2020 | \$238.40 | \$10,115.29 | \$61,403.74 |
| 15 | 04/01/2020 | \$204.68 | \$10,149.01 | \$51,254.73 |
| 16 | 05/01/2020 | \$170.85 | \$10,182.84 | \$41,071.89 |
| 17 | 06/01/2020 | \$136.91 | \$10,216.78 | \$30,855.11 |
| 18 | 07/01/2020 | \$102.85 | \$10,250.84 | \$20,604.27 |
| 19 | 08/01/2020 | \$68.68 | \$10,285.01 | \$10,319.26 |
| 20 | 09/01/2020 | \$34.40 | \$10,319.26 | \$0.00 |

Loan amortization schedule for year 2 (2020):

You will spend \$1,534.27 on interest and \$91,648.91 on principal.

Loan payoff summary

| Loan details: | | Loan payoff details: | |
|-----------------------|----------------------|----------------------|-------------|
| Loan amount: | \$200,000.00 | Monthly payment: | \$10,353.69 |
| Annual interest rate: | 4.00% | Loan start date: | 01/01/2019 |
| Loan length: | 1.666666666667 years | Loan payoff date: | 09/01/2020 |
| Pay periodicity: | monthly | Interest paid: | \$7,073.77 |

On a \$200,000.00 loan you will spend \$207,073.77.

From this \$7,073.77 goes towards interest and \$200,000.00 will be applied to the principal.

LICENSING INVESTIGATIVE REPORT

DATE: September 30, 2020

SUBJECT: Miscellaneous Request No. 20-21838 from The Cherry Company, Ltd. dba The Cherry Company, Ltd., Wholesale General Liquor license, 3375 Koapaka St., Suite A185, Honolulu, for Commission approval to permanently delete a portion of the licensed premises and for alterations within the licensed area (C0009)

EXISTING LICENSED PREMISES:

Location: The premises is located 3375 Koapaka St., Suite A185, Honolulu.

Details of premises: The licensed premises is set of single story irregular in shaped structures, overall measuring approximately 34,500 square feet. The licensed area consists of: a warehouse measuring approximately 27,000 square feet, mezzanine measuring approximately 3,000 square feet, and an office area, measuring approximately 4,500 square feet.

See Exhibit A.

MATTERS PERTAINING TO THE ALTERATION & REDUCTION REQUESTED:

According to the applicant, the proposed alterations request consists of the renovations of the office area to match the built floor plans. The alterations will include the removal and addition of walls, the addition of kitchen equipment, and the addition of doors and access points to create additional conference rooms, kitchen, and show room.

The proposed permanent reduction of the licensed area will consist of the deletion of approximately 132 total square feet of space within the show room.

REASON FOR REQUEST:

The deleted area will be licensed as a Retail General license within the section of the current licensed premises. The location of the retail license will occupy the permanently deleted area in conjunction with the new retail license application No. # 20-21849.

REDEFINED LICENSED PREMISES:

The proposed alterations are within the office space of the licensed premises. The alterations remove a number of walls, creating a large open office space, a showroom space, smaller office spaces, and a closet space. The square footage does not change.

The reduction of the premises, deletes approximately 132 square feet from the showroom space.

The proposed floor plan will be submitted as **Exhibit B**.

PRELIMINARY INSPECTION:

On September 29, 2020, a preliminary inspection was conducted. The current layout does match the submitted floor plan.

The alterations have already been completed. The alterations were stated to have been completed in November 2017.

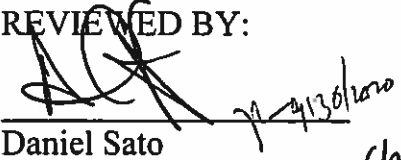
LANDLORD AUTHORIZATION:

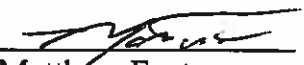
According to LIQ-LIC-128 "Landlord Authorization for Reduction of Licensed Premises," AIPA Properties, L.L.C. (Landlord) authorizes the reduction of licensed premises.

OPINION:

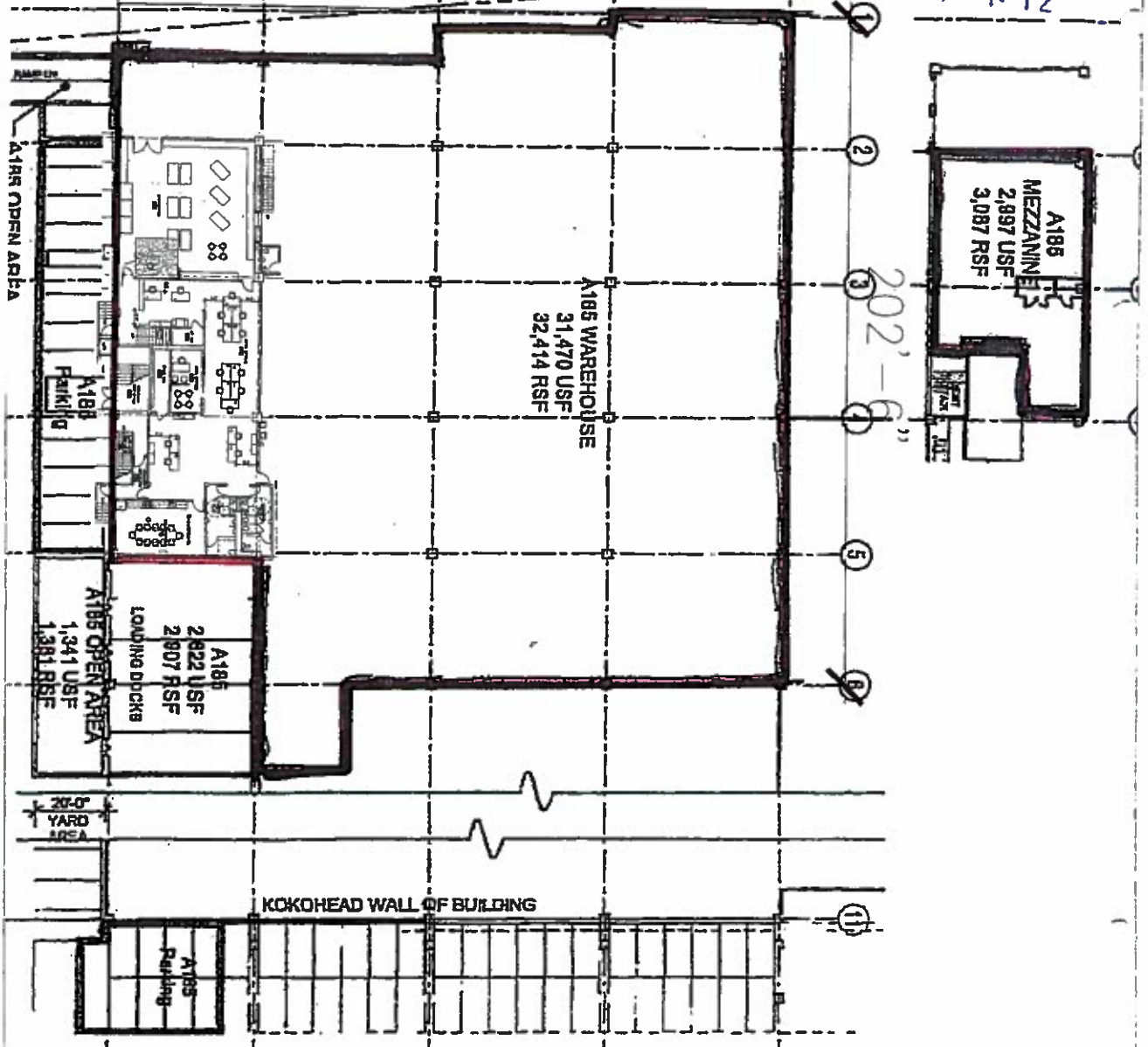
I believe the applicant has met statutory requirements of filing of this request. However, alterations within the licensed area was completed prior to Commission approval.

REVIEWED BY:


Daniel Sato
Supervising Investigator


Matthew Foster
Licensing Investigator

20 JUN 15 P 1:12



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ADMISSION
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2016 OCT -3 P 12:35

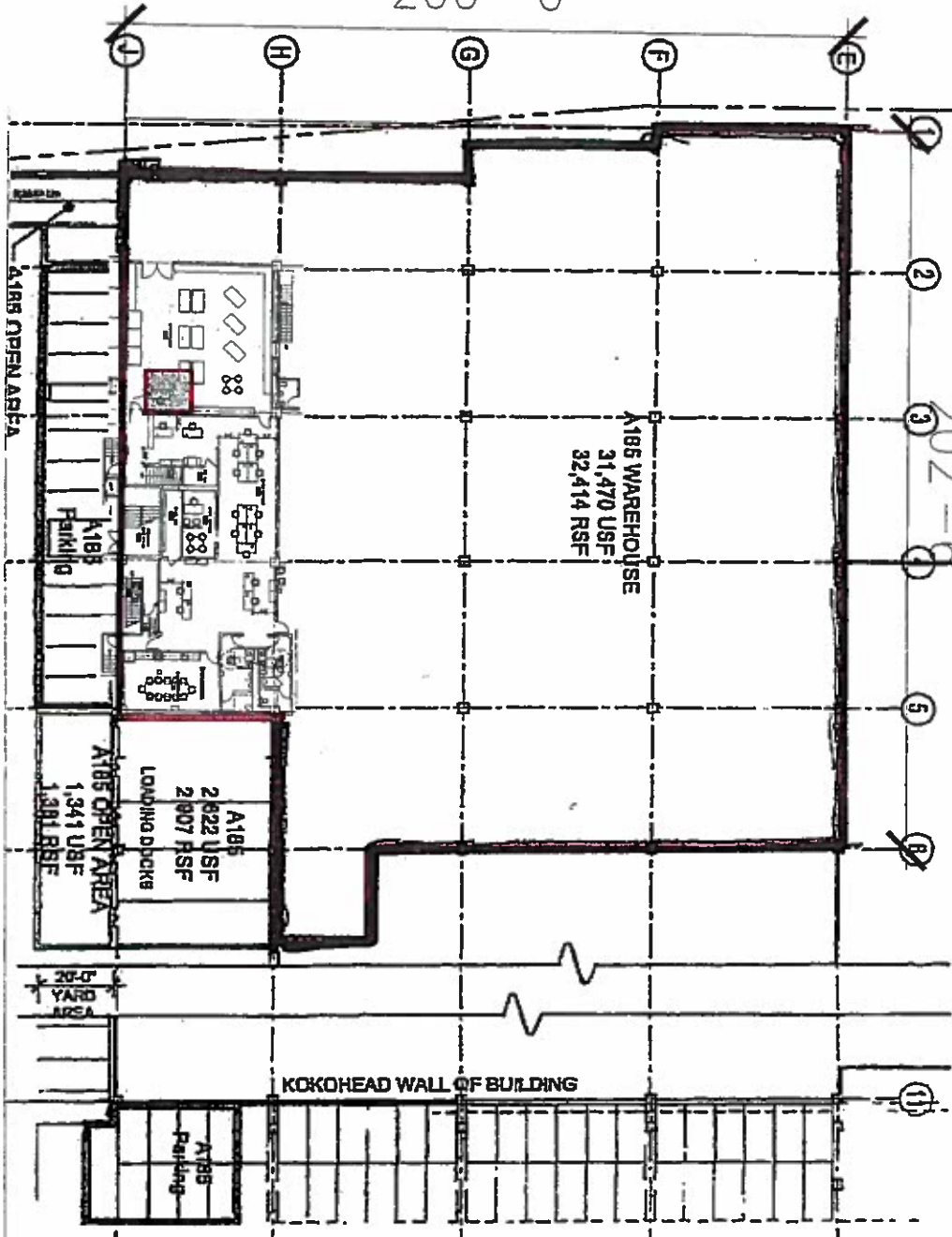
INDICATE MEZZANINE ABOVE

SCALE: 1/32" = 1'-0"

| | | | |
|---|-----|------------------|------------------|
| THE CHERRY CO., LTD. 3375 KOAPAKA ST UNIT A185 HONOLULU, HI 96819 TMK: 1-1-015:013 | CD# | Scale 1:5 INCHES | Sheet No. 1 of 1 |
| | | Drawn E.E. | SK-1 |
| | | | Revised |

EXHIBIT A

200'-0"



A185
MEZZANINE
2,997 USF
3,087 RSF

A185 WAREHOUSE
31,470 USF
32,414 RSF

A185
2,822 USF
2,807 RSF
LOADING DOCKS

A185 OPEN AREA
1,341 USF
1,381 RSF

A185
Parking

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
JUN 15 P 1:11

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
JUN 15 P 12:35

KOKOHEAD WALL OF BUILDING

INDICATE MEZZANINE ABOVE

SCALE: 1/32" = 1'-0"

THE CHERRY CO., LTD.
3375 KOAPAKA ST UNIT A185
HONOLULU, HI 96819
TMK: 1-1-015-013

Drawn: SK-1

EXHIBIT B

Reyes, Akiko

APP # 21-22313

From: Joseph Luna <joey@scarlethonolulu.com>
Sent: Friday, September 25, 2020 2:31 PM
To: Reyes, Akiko
Subject: Request for Extension to GLS Payment for Scarlet Honolulu E1407

Please place on
Agenda 10/8/20 ah

Aloha,

I would like to make a request for Scarlet Honolulu (license E1407) to delay our annual payment on our Gross Liquor Sales report an additional 90 days, from the current due date of 10/31/20 to 01/31/21. Per Mayor Caldwell's most recent "tiered" plan launch and press conference, all bars will remain closed at a bare minimum of 12 weeks (4 week each for 3 tiers), and, even then, in Tier 4, opening bars remains "TBD."

We do not foresee that we will be allowed to open any earlier than the end of December, and it may be even longer, which we can address with the Liquor Commission if reopening dates continue to be delayed by the Mayor's Office.

Any assistance with this matter would be greatly appreciated, mahalo!

Joey Luna
Scarlet Honolulu
(409)651-1614